FEDERAL REGISTER

VOLUME 20 NUMBER 32

Washington, Tuesday, February 15, 1955

TITLE 7—AGRICULTURE

Chapter V—Commodity Stabilization Service (Surplus Property), Department of Agriculture.

[Announcement CN-480-1]

PART 503—HANDLING COTTON UNDER PUBLIC LAW 480

The regulations contained in this part relate to the handling of upland cotton under Public Law 480, 83d Congress, and supersede the announcement (unpublished) of the same number issued on January 14, 1955.

Sec.
503.1 General.
503.2 Stocks eligible for export.
503.3 Method of acquisitions from CCC stocks.
503.4 Documentation re acquisitions of loan stocks.
503.5 Sales of cotton from CCC owned stocks.
503.6 Financial arrangements.
503.7 Officials not to benefit.

AUTHORITY: §§ 503.1 to 503.7 issued under sec. 102, 68 Stat. 454; 7 U. S. C. Sup. 1702; E. O. 10560, 19 F R. 5927. Interpret or apply secs. 2, 101, 68 Stat. 454; 7 U. S. C. Sup. 1691, 1701.

§ 503.1 *General.* (a) Title I of the Agricultural Trade Development and Assistance Act of 1954, Public Law 480, 83d Congress (hereinafter referred to as the "act") authorizes the negotiation of agreements with friendly nations to provide for the sale of surplus agricultural commodities for foreign currency. The act provides that Commodity Credit Corporation (hereinafter referred to as "CCC") shall make available for sale surplus agricultural commodities acquired by CCC in its price support operations and shall make funds available to finance the sale and exportation of surplus agricultural commodities owned by CCC or pledged or mortgaged to it for price support loans or from privately owned stocks if CCC is not in position to supply the commodity from its owned stocks. The act further provides that, to facilitate the use of private trade channels, CCC may finance the sale and exportation of privately owned stocks even though it is in position to supply the commodity if arrangements are made whereby the exporter acquires the same commodity of comparable value or quantity from CCC stocks.

(b) The Secretary of Agriculture has issued Regulations Governing the Financing of Commercial Sales of Surplus Agricultural Commodities for Foreign Currencies (Part 11 of this title; 19 F R. 7526) (hereinafter referred to as the "Regulations") From time to time agreements will be entered into between the United States and foreign governments covering specific surplus, agricultural commodities including upland cotton. When such an agreement is reached, the Foreign Agricultural Service of the Department of Agriculture (hereinafter referred to as "FAS") will issue a Form 480-A Authorization covering each commodity As authorizations are issued, press releases giving information necessary to enable exporters to initiate negotiations for sales will be issued.

(c) This announcement and the applicable announcement covering the sale of CCC owned cotton, together with the Regulations and the applicable Form 480-A Authorization, contain the terms and conditions under which upland cotton will be handled under the act.

(d) Inquiries relating to the financing of export sales under the program, required documentation, and to the acquisition of CCC stocks of cotton for export or as replacements for privately owned cotton should be directed to the CSS Commodity Office, Wirth Building, 120 Marais Street, New Orleans 16, Louisiana (hereinafter referred to as the "New Orleans Office")

§ 503.2 *Stocks eligible for export.* CCC is in a position to supply cotton from its owned stocks and also from loan stocks. Accordingly an exporter who enters into a sales contract for the exportation of cotton under a Form 480-A Authorization must export against such sale either (1) cotton acquired from CCC owned or loan stocks, or (2) privately owned stocks of cotton, in which event the exporter must, within the period specified in § 503.3, acquire from CCC stocks the number of bales of cotton covered by the export sales contract. During the period January 1 through July 31 of any marketing year, such acquisition may be made from both loan stocks and stocks owned by CCC.

§ 503.3 *Method of acquisitions from CCC stocks.* (a) Cotton from CCC

(Continued on next page)

CONTENTS

FEDERAL REGISTER

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CONTENTS—Continued

CONTENTS—Continued

CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

stocks must be secured by the exporter to apply against a particular export sale in one or a combination of the following ways:

(1) By purchasing the producer's equity in loan cotton by use of the Producer's Equity Transfer contained on the Producer's Loan Statement–A and repaying the loan on the cotton represented thereby·

(2) By purchasing cotton from producers who had previously pledged or mortgaged such cotton as security for loans to CCC and subsequently redeemed it from the loan,

(3) By purchasing cotton from a cotton cooperative marketing association which had previously pledged such cotton to CCC and subsequently redeemed it from the loan;

(4) If the exporter is a cotton cooperative marketing association, by redeeming from the loan cotton which it previously pledged to CCC;

(5) By purchasing cotton directly from CCC owned stocks.

(b) Cotton for export or for replacement of privately owned stocks exported or to be exported may be secured from CCC owned or loan stocks. If the cotton secured is from loan stocks, the loans on such cotton must have been repaid by the applicable party (i. e., exporter, producer, or cotton cooperative marketing association) or if the cotton is from owned stocks such cotton must have been acquired from CCC, subsequent to the date the export sale is registered with CCC and prior to (1) ninety days after date of registration, or (2) date of final shipment under the sales contract, or date of final delivery under the sales contract if replacement for consigned cotton, whichever occurs later.

(c) All purchases or repayments must be identified with the applicable Form 480–A Authorization No. and the CCC Registration No. of the export sale.

(d) The exporter will be permitted to arrange to have another person purchase replacement cotton from CCC owned cotton stocks, and such purchase will satisfy the exporter's obligation to purchase replacement cotton. However, the responsibility for such purchase cannot be transferred and must remain with the exporter until replacement stocks are secured.

§ 503.4 *Documentation re acquisitions of loan stocks.* The documentation with respect to the acquisition of cotton secured from CCC loan stocks will be handled as follows:

(a) *Redemptions by use of producer's equity transfers.* An exporter who, by purchasing the producer's equity in cotton pledged to CCC by use of the Producer's Equity Transfer contained on the Producer's Loan Statement–A and repaying the CCC loan, obtains cotton for export or as replacement stocks for privately owned cotton exported or to be exported against a sale made under a Form 480–A Authorization must identify the cotton covered by such Producer's Equity Transfer by inserting over his signature[1] in the Certificate of Purchaser or the Certificate of Transferee thereon, whichever is applicable, the following statement:

The cotton covered by this Producer's Equity Transfer is being acquired by the

[1] In the event there is not adequate space to insert the entire statement at the point designated, it may be footnoted and finished at any place on the form where space is available.

undersigned in connection with Form 480–A Authorization No. ------, CCC Registration No. ------.

(b) *Redemptions by producers.* An exporter who plans to acquire loan cotton from a producer for export or as replacement stocks for privately owned cotton exported or to be exported against a sale made under a Form 480–A Authorization must arrange with the producer to insert over his signature[1] in the Producer's Redemption Request on the Producer's Loan Statement–A the following statement:

The cotton covered by this Producer's Loan Statement–A is to be acquired by ----------
(Name of
--------- in connection with Form 480–A Exporter)
Authorization No. ------, CCC Registration No. ------.

(c) *Redemptions by associations.* (1) An exporter who plans to acquire loan cotton from a cotton cooperative marketing association for export or as replacement stocks for privately owned cotton exported or to be exported against a sale made under a Form 480–A Authorization must arrange with the association to insert over the signature of the person signing the redemption schedule the following statement:

The cotton covered by this redemption schedule is to be acquired by ----------
(Name of
--------- in connection with Form 480–A exporter)
Authorization No. ------, CCC Registration No. ------.

(2) An exporter who is a cotton cooperative marketing association desiring to obtain loan cotton which it has pledged to CCC for export or as replacement stocks for privately owned cotton exported or to be exported against a sale made under a Form 480–A Authorization must insert over the signature of the person signing the redemption schedule the following statement:

The cotton being redeemed under this redemption schedule is being acquired in connection with Form 480–A Authorization No. ------, CCC Registration No. ------.

§ 503.5 *Sales of cotton from CCC owned stocks.* Cotton from owned stocks of CCC will be sold at prices not less than the higher of (1) 105 percent of the current support price plus reasonable carrying charges, or (2) the market price as determined by CCC. Reasonable carrying charges are 105 points in January with an additional 15 points being added for each month thereafter through July The terms and conditions upon which such cotton will be sold will be contained in an announcement covering the sale of CCC owned cotton issued by the New Orleans office. Offers to purchase owned cotton for export or as replacements for privately owned cotton exported or to be exported under Public Law 480 must be identified with the Form 480–A Authorization No. and the CCC Registration No.

§ 503.6 *Financial arrangements*—(a) *Requirement.* An exporter will not receive payment for cotton exported under a Form 480–A Authorization unless CCC Form 330, "Advice of Financial Arrangements," is submitted, together with other required documents, to the U. S. banking institution to which drafts drawn under the letter of credit established in favor of the exporter will be presented. If a CCC Form 330 has been issued to the exporter and delivered to such banking institution, the exporter will be paid the amount of his net invoice price of the commodity sold and exported, less any amount payable to CCC as stated in the CCC Form 330. CCC Form 330 will be issued to the exporter by CCC when the quantities covered by either or a combination of the following methods is equal to the quantity of cotton covered by the export sales contract for which such letter of credit was established:

(1) The exporter has acquired cotton from CCC owned or loan stocks;

(2) The exporter has furnished CCC with a performance guarantee that cotton will be acquired from either CCC owned or loan stocks.

(b) *Issuance of CCC Form 330.* A separate CCC Form 330 will be issued as follows to the exporter by the New Orleans Office for each commercial letter of credit established in favor of the exporter by the importer under the applicable Form 480–A Authorization after the exporter has complied with the above requirement and after he has notified such office of the number of the letter of credit and the name of the U. S. banking institution to which drafts drawn under such letter of credit will be presented.

(1) *Purchases from CCC loan stocks prior to issuance of CCC Form 330.* The CCC Form 330 will show that no amount is due CCC for the quantity of cotton acquired from CCC loan stocks against the sale prior to the issuance of the CCC Form 330.

(2) *Purchases from CCC owned stocks prior to issuance of CCC Form 330.* (i) The CCC Form 330 will show that no amount is due CCC for the quantity of cotton purchased from CCC owned stocks against the sale prior to issuance of CCC Form 330 if the exporter has paid the purchase price of the cotton by cash or certified or cashier's check, including the use by CCC of sight drafts or collection letters with warehouse receipts attached, or has established an irrevocable commercial letter of credit acceptable to CCC upon which CCC may draw with documents attached as deliveries of cotton are made.

(ii) The CCC Form 330 will show the CCC sales value of the contract quantity as payable to CCC if the exporter, in lieu of making payment as above, elects to furnish to CCC an irrevocable commercial letter of credit or other security acceptable to CCC for the amount of the purchase price. CCC shall not draw on such letter of credit or realize on such security if payment for the cotton is received by CCC from another source within the period during which exportation must be made as provided in the export sales contract or in the applicable Form 480–A Authorization, whichever period expires first. If and as such payments are received, CCC shall notify the bank issuing the letter of credit in its favor that it is agreeable to the reduction of such letter of credit in like amounts, or shall return to the exporter corresponding amounts of the other security furnished.

(3) *Issuance of CCC Form 330 Prior to Purchase from CCC owned and loan stocks*—(i) *Performance guarantee.* If the exporter requests that CCC Form 330 be issued and the exporter has not acquired from CCC stocks against the sale a quantity of cotton equal to the number of bales of cotton covered by the export sales contract, the exporter may furnish CCC with a performance guarantee in the form of an irrevocable letter of credit, surety bond, or other security acceptable to CCC, in the amount of $10 per bale for the number of bales covered by the export sales contract less the number of bales already acquired by the exporter from CCC stocks in connection with the sale, undertaking to acquire such quantity from CCC stocks against the sale, within the period specified in § 503.3. The CCC Form 330 will show no amount owed to CCC for the quantity of cotton covered by the performance guarantee. If and as such purchases are made, CCC shall notify the bank issuing the letter of credit in its favor that it is agreeable to the reduction of such letter of credit by the above amount per bale for the number of bales so acquired, or shall return to the exporter corresponding amounts of the other security furnished.

(ii) *Liquidated damages.* Failure of the exporter to carry out the conditions of the performance guarantee within the period specified in § 503.3 will result in damage to CCC, and CCC shall have the right to take any and all action available to it to collect the amount due it under such performance guarantee. Since the amount of damage to CCC is not readily ascertainable, the exporter by furnishing such performance guarantee agrees that the amount of $10 per bale is a reasonable estimate of the probable actual damage and that any amount collected by CCC under the performance guarantee is by way of compensation and not a penalty.

§ 503.7 *Officials not to benefit.* No Member of or Delegate to Congress or any Resident Commissioner shall be admitted to any share or part of any contract arising hereunder or to any benefit that may arise therefrom, but this provision shall not be construed to extend to the contract if made with a corporation for its general benefit.

Issued this 9th day of February 1955.

[SEAL] F MARION RHODES,
Director
Cotton Division.

[F R. Doc. 55–1275; Filed, Feb. 14, 1955; 8:45 a. m.]

[1] In the event there is not adequate space to insert the entire statement at the point designated, it may be footnoted and finished at any place on the form where space is available.

Chapter VII—Commodity Stabilization Service (Farm Marketing Quotas and Acreage Allotments), Department of Agriculture

[1026 (Peanuts-54)-1 Amdt. 2]

PART 729—PEANUTS

MARKETING QUOTA REGULATIONS FOR 1954 CROP

Basis and purpose. Section 729.561 (b) (2) of the Marketing Quota Regulations for Peanuts of the 1954 Crop (19 F R. 2505) states that failure to file the report as requested or the filing of a report which is found by the State Committee to be false shall constitute failure of the producer to account for disposition of peanuts produced on the farm and that the allotment next established for such farm shall be reduced as provided in § 729.524 of the Marketing Quota Regulations for Peanuts of the 1954 Crop (18 F R. 6372) The amendment contained herein amends subparagraph (2) of § 729.651 (b) by substituting the words "incomplete" and "incorrect" for the word "false" so that the language of the subparagraph will be the same as in the Marketing Quota Regulations for 1953 and prior years.

Marketing of the 1954 crop of peanuts has been completed in most of the peanut-producing areas and the State and county Agricultural Stabilization and Conservation Committees are engaged in examining marketing records and other data for individual farms to determine whether producers have complied with the regulations. It is necessary that the amendment contained herein be made effective at the earliest possible date in order that the State committees may proceed to request certain producers to account for disposition of their 1954 crops of peanuts and to determine whether any such reports are incomplete or incorrect. The planting of the 1955 crop of peanuts in south Texas will begin in March, therefore, the reduction of 1955 farm allotments because of failure to account for disposition of the 1954 crop of peanuts must be accomplished as soon as possible. Accordingly, it is hereby determined and found that compliance with the notice, public procedure and effective date requirements of section 4 of the Administrative Procedure Act (5 U. S. C. 1003) is impracticable and contrary to the public interest, and the amendment contained herein shall be effective upon filing of this document with the Director, Division of the Federal Register.

Section 729.561 (b) (2) of the Marketing Quota Regulations for the 1954 Crop of Peanuts (19 F R. 2505) is amended to read as follows: "(2) Failure to file the report as requested or the filing of a report which is found by the State Committee to be incomplete or incorrect shall constitute failure of the producer to account for disposition of peanuts produced on the farm and the allotment next established for such farm should be reduced as provided in § 729.524 of the Marketing Quota Regulations for Peanuts of the 1954 Crop (18 F. R. 6372) "

(Sec. 375, 52 Stat. 66, as amended; 7 U. S. C. 1375. Interprets or applies sec. 359, 55 Stat. 90, as amended; 7 U. S. C. 1359)

Done at Washington, D. C., this 10th day of February 1955. Witness my hand and the seal of the Department of Agriculture.

[SEAL] TRUE D. MORSE,
Acting Secretary of Agriculture.

[F R. Doc. 55-1291; Filed, Feb. 14, 1955; 8:48 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter XIV—General Services Administration

[Revision 3, Amdt. 2]

REG. 7—MICA REGULATION · PURCHASE PROGRAMS FOR DOMESTIC MICA

PRICES AND PAYMENT

Pursuant to the authority vested in me by Executive Order 10480, dated August 14, 1953 (18 F R. 4939) this regulation, as revised and amended, is hereby further amended as follows:

In section 5, delete in its entirety paragraph (e) and in lieu thereof substitute the following:

(e) *Price and payment.* (1) The prices to be paid for each short ton of ruby and nonruby hand-cobbed mica, delivered to and accepted by the Government in accordance with the provisions of this Section, shall be at the rate of Six Hundred Dollars ($600) for ruby hand-cobbed mica, and at the rate of Five Hundred and Forty Dollars ($540) for nonruby hand-cobbed mica, containing exactly 16.2 pounds of good stained or better quality and exactly 24.3 pounds of stained quality block or film mica. Payment shall be made on the basis of these prices, increased or decreased proportionately to reflect the actual yield of good stained or better and stained quality block or film mica, as provided in subparagraph (2) of this paragraph.

(2) Payment for each short ton of ruby and nonruby hand-cobbed mica, delivered to and accepted by the Government in accordance with the provisions of this section, containing good stained or better quality block or film mica, shall be effected in the following manner·

(i) At the time of the Government acceptance provided for in paragraph (c) of this section, the Government shall estimate the yield in pounds of good stained or better quality in each lot of hand-cobbed mica delivered hereunder. Such estimated yield shall be divided by 16.2 pounds to determine the estimated number of short tons of hand-cobbed mica that may be paid for at the rate of $600 per short ton in the case of ruby hand-cobbed mica, and at the rate of $540 per short ton in the case of nonruby hand-cobbed mica. Promptly after the Government acceptance referred to hereinabove, the Government will make a preliminary payment based upon the above estimate.

(ii) Each lot of ruby and nonruby hand-cobbed mica shall be processed by the Government and the actual yield of good stained or better quality and of stained quality shall be determined by the Government.

(iii) The actual yield of good stained or better quality as determined in step (ii) above, shall be divided by 16.2 pounds to determine, on the basis of actual yield, the number of short tons of hand-cobbed mica for which payment is allowed at the rate of $600 per short ton, in the case of ruby hand-cobbed mica, and at the rate of $540 per short ton, in the case of nonruby hand-cobbed mica. Multiply such number of short tons of hand-cobbed mica by $600 or $540, whichever is applicable.

(iv) Multiply the number of short tons of hand-cobbed mica, as determined in step (iii) above, by 2,000 pounds and by 4½ percent.

(v) Multiply the number of pounds, as determined in step (iv) above, by 27 percent.

(vi) Deduct the number of pounds, as determined in step (v) above, from the actual number of pounds of stained quality mica, as determined in step (ii) above, to determine the number of pounds of stained quality mica for which payment shall be made.

(vii) Calculate the dollar and cents value of the actual number of pounds of stained quality mica, as determined in step (ii) above, by means of the Price Schedule appearing in section 4 of this regulation.

(viii) Calculate the net dollar and cents value of the stained quality mica for which payment shall be made by multiplying the dollar and cents value of the actual number of pounds of stained quality mica, as calculated in step (vii) above, by a fraction, the numerator of which is represented by the number of pounds of stained quality mica, as determined in step (vi) above, and the denominator of which is represented by the actual yield of stained quality mica, as determined in step (ii) above, and by deducting from the product the actual cost of rifting and trimming of the number of pounds of stained quality mica, as determined in step (vi) above, for which payment is made.

(ix) Add the dollar and cents figures, as calculated in step (iii) and step (viii) above, to determine the actual value of deliveries under this subparagraph. The Government shall pay not to exceed such actual value for such deliveries. Hence, if the actual value exceeds the preliminary payment, as determined in step (i) above, the amount of the excess shall be paid to the participant; and if the actual value is less than said preliminary payment, the amount of the overpayment shall be paid by the participant to the Government.

(Sec. 704, 64 Stat. 816, as amended, Pub. Laws 95, 206, 83d Cong., 50 U. S. C. App. 2154)

All other provisions of this regulation shall remain in full force and effect.

This amendment is effective immediately.

Dated: February 10, 1955.

EDMUND F MANSURE,
Administrator

[F R. Doc. 55-1363; Filed, Feb. 14, 1955; 11.16 a. m.]

TITLE 14—CIVIL AVIATION

Chapter II—Civil Aeronautics Administration, Department of Commerce

[Amdt 129]

PART 609—STANDARD INSTRUMENT APPROACH PROCEDURES

PROCEDURE ALTERATIONS

The standard instrument approach procedure alterations appearing hereinafter are adopted to become effective when indicated in order to promote safety Compliance with the notice procedures and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to the public interest, and therefore is not required

Part 609 is amended as follows:

NOTE: Where the general classification (LFR VAR ADF ILS GCA or VOR) location and procedure number (if any) of any procedure in the amendments which follow, are identical with an existing procedure that procedure is to be substituted for the existing one as of the effective date given to the extent that it differs from the existing procedure; where a procedure is canceled the existing procedure is revoked; new procedures are to be placed in appropriate alphabetical sequence within the section amended

1 The low frequency range procedures prescribed in § 609 6 are amended to read in part:

LFR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, and courses are magnetic. Distances are in statute miles unless otherwise indicated Elevations and altitudes are in feet, MSL Ceilings are in feet above airport elevation
If an LFR instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure authorized by the Administrator for Civil Aeronautics for such airport Initial approaches shall be made over specified routes Minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set forth below

City and State; airport name, elevation; facility: class and identification; procedure No; effective date	Initial approach to facility from—	Course and distance	Minimum altitude (ft)	Procedure turn (—) side of final approach course (outbound and inbound); altitudes; limiting distances	Minimum altitude over facility on final approach course (ft)	Course and distance, facility to airport	Ceiling and visibility minimums			If visual contact not established at authorized landing minimums after passing facility within distance specified, or if landing not accomplished
							Condition	Type aircraft: 75 m. p h or less	Type aircraft: More than 75 m p h	
1	2	3	4	5	6	7	8	9	10	11
MIAMI, FLA. International, 9' SBRAZ-MIA Procedure No 2. Amendment—Original. Effective: March 19 1955	Bayshore Intersection (final)	To Flagler Intersection* 266—7 0	1 400	S side E course: 086° outbound 266 inbound. 1 400' within 10 miles E of Bayshore Intersection Beyond 10 miles not authorized	Over Flagler Intersection* 1 400	From Flagler Intersection* 266—4. 5	2 engines or less			Within 4 5 miles climb to 1 100' on W course (273°) within 25 miles Flagler Intersection is the intersection of the E course of MIA LFR and a bearing 336 to Marine Miami Radiobeacon. Course and distance to Runway 27R 280 4 1 miles
	Miami LFR	086—12 0	1 400				T-dn	300-1	300-1	
	Miami VOR	086—9 0	1 400				C-dn	500-1	500-1	
							S-dn			
							27L/R	500-1	500-1	
							A-dn	800-2	800-2	
							More than 2 engines			
							T-dn		200-1½	
							C-dn		500-1½	
							S-dn		500-1	
							27L			
							27R			
							A-dn		800-2	

2 The automatic direction finding procedures prescribed in § 609 8 are amended to read in part:

ADF STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, and courses are magnetic Distances are in statute miles unless otherwise indicated. Elevations and latitudes are in feet, MSL Ceilings are in feet above airport elevation
If an ADF instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure authorized by the Administrator for Civil Aeronautics for such airport Initial approaches shall be made over specified routes Minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set forth below

City and State; airport name, elevation; facility: class and identification; procedure No ; effective date	Initial approach to facility from—	Course and distance	Minimum altitude (ft)	Procedure turn (—) side of final approach course (outbound and inbound); altitudes; limiting distances	Minimum altitude over facility on final approach course (ft)	Course and distance, facility to airport	Ceiling and visibility minimums			If visual contact not established at authorized landing minimums after passing facility within distance specified or if landing not accomplished
							Condition	Type aircraft		
								75 m. p h or less	More than 75 m p h	
1	2	3	4	5	6	7	8	9	10	11
BROWNSVILLE, TEX. Rio Grande Valley International, 22′ LOM-BR Procedure No. 1 February 1, 1951 Major changes: Superseded by combination ILS and ADF procedure	SUPERSEDED BY COMBINATION ILS-ADF PROCEDURE DATED MARCH 5 1955									

3 The ground controlled approach procedures prescribed in § 609 13 are amended to read in part:

GCA STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings headings, and courses are magnetic Distances are in statute miles unless otherwise indicated. Elevations and altitudes are in feet, MSL. Ceilings are in feet above airport elevation
If a GCA instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument procedure, unless an approach is conducted in accordance with a different procedure authorized by the Administrator for Civil Aeronautics for such airport Initial approaches shall be made over specified routes. Minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set forth below. Positive identification must be established with the ground controller From initial contact with GCA to final authorized landing minimums, the instructions of the GCA controller are mandatory except when (A) visual reference with ground is established on final approach at or before descent to the authorized landing minimums or (B) at pilot's discretion if it appears desirable to discontinue the approach

City and State; airport name elevation; effective date	Radar terminal area; maneuvering altitudes by sectors and limiting distances	Ceiling and visibility minimums						Except when the ground controller may direct otherwise prior to final approach, a missed approach procedure shall be executed as provided below when (a) communication on final approach is lost for more than 5 seconds; (b) directed by ground controller; (c) visual reference is not established upon descent to the authorized landing minimums; or (d) landing is not accomplished
		Runway No	Condition	Precision approach (PAR)		Surveillance approach (ASR)		
				75 m. p. h or less	More than 75 m p h	75 m. p. h or less	More than 75 m p h	
1	2	3	4	5	6	7	8	9
HOUSTON, TEX International, 50′ Procedure No. 1 Amendment No 3. March 19, 1955. Supersedes Amendment No 2 December 3 1954 Major changes: Add descent procedure	2 000′ within 5 to 20 N miles radius	2 engines or less						Climb to 2,000′ straight ahead, then proceed to Houston LFR or VOR or proceed as directed by ATC
		All	T-dn			300-1	300-1	
		3 12 30	S-dn			400-1	400-1	
		3, 12, 30	C-dn			400-1	500-1	
		17 35	S-dn			500-1	500-1	
		17 35	C-dn			500-1	500-1	
		21	S-dn			600-1	600-1	
		21	C-dn			600-1	600-1	
		All	A-dn			800-2	800-2	
		More than 2 engines						
		All	T-dn				200-½	
		3 12 30	S-dn				400-1	
		3, 12, 30	C-dn				500-1½	
		17 35	S-dn				500-1	
		17 35	C-dn				500-1½	
		21	S-dn				600-1	
		21	C-dn				600-1½	
		All	A-dn				800-2	
	Aircraft on any direct course to Houston VOR may descend to 750′ mean sea level from 5 N miles radar fix	All aircraft						
		All runways	C-dn			700-1½	700-1½	
			A-dn			800-2	800-2	

These procedures shall become effective on the dates indicated in Column 1 of the procedures.

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interpret or apply sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551)

[SEAL] F B. LEE,
Administrator of Civil Aeronautics.

[F. R. Doc. 55-1244; Filed, Feb. 14, 1955; 8:45 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter XIV—The Renegotiation Board

Subchapter B—The Renegotiation Board Regulations Under the 1951 Act

PART 1490—BROKERS AND MANUFACTURERS' AGENTS

EXEMPTION OF SUBCONTRACTS OF BROKERS AND MANUFACTURERS' AGENTS

Section 1490.6 *Determination of renegotiable business under section 103 (g) (3) of the act* is amended by deleting paragraph (e) in its entirety and inserting in lieu thereof the following:

(e) Receipts and accruals under subcontracts described in section 103 (g) (3) of the act are exempt from renegotiation, to the extent that such receipts or accruals are referable to prime contracts and subcontracts which are exempted from the provisions of the act by section 106 (d) thereof or by any subparagraph, other than subparagraph 8, of section 106 (a) thereof. See §§ 1453.6 and 1455.7 of this subchapter.

(Sec. 109, 65 Stat. 22; 50 U. S. C. App. Sup. 1219)

Dated: February 10, 1955.

[SEAL] FRANK L. ROBERTS,
Chairman.

[F R. Doc. 55-1281; Filed, Feb. 14, 1955; 8:46 a. m.]

TITLE 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

[Order No. 18; Docket No. 3666]

PARTS 71-78—EXPLOSIVES AND OTHER DANGEROUS ARTICLES

MISCELLANEOUS AMENDMENTS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 3d day of February 1955.

It appearing that pursuant to the Transportation of Explosives Act of March 4, 1921 (41 Stat. 1444) sections 831-835 of Title 18 of the United States Code approved June 25, 1948, and Part II of the Interstate Commerce Act, as amended, the Commission has heretofore formulated and published certain regulations for the transportation of explosives and other dangerous articles.

It further appearing that in application received we are asked to amend the aforesaid regulations as set forth in provisions made a part thereof.

It is ordered, That the aforesaid regulations for the transportation of explosives and other dangerous articles be, and they are hereby amended as follows:

PART 72—COMMODITY LIST OF EXPLOSIVES AND OTHER DANGEROUS ARTICLES CONTAINING THE SHIPPING NAME OR DESCRIPTION OF ALL ARTICLES SUBJECT TO PARTS 71-78 OF THIS CHAPTER

Amend § 72.5, commodity list (18 F R. 3133, June 2, 1953) (15 F R. 8263, 8265, 8266, 8267, 8268, 8270, 8271, 8273, Dec. 2, 1950) (49 CFR 1950 Rev., 1953 Supp., 72.5) as follows:

§ 72.5 *List of explosives and other dangerous articles.* (a) * * *

Article	Classed as—	Exemptions and packing (see sec.)	Label required if not exempt	Maximum quantity in 1 outside container by rail express
Change				
*Compounds, tree or weed killing, solid.	Oxy. M	73.153, 73.154, 73.229	Yellow	100 pounds.
Radioactive materials, n. o. s.	Pois. D	73.392, 73.393, 73.394	Poison radioactive materials, blue or red.	2,000 millicuries. See § 73.391 (c).
Add				
Allyl trichlorosilane	Cor. L	No exemption, 73.280.	White	10 gallons.
Cesium 137	Pois. D	73.392, 73.393	Poison radioactive materials, red.	300 curies. See § 73.391 (c).
Cobalt 60	Pois. D	73.392, 73.393	Poison radioactive materials, red.	300 curies. See § 73.391 (c).
Cyclohexenyl trichlorosilane	Cor. L	No exemption, 73.280.	White	10 gallons.
Ethyl dichlorosilane	F L	No exemption, 73.135.	Red	10 gallons.
Explosive auto alarms	Expl. C	No exemption, 73.111.		150 pounds.
Iridium 192	Pois. D	73.392, 73.393	Poison radioactive materials, red.	300 curies. See § 73.391 (c).
Nonyl trichlorosilane	Cor. L	No exemption, 73.280.	White	10 gallons.
Oil well cartridges	Expl. C	No exemption, 73.112.		150 pounds.
Toy propellant devices	Expl. C	No exemption, 73.111.		150 pounds.
Toy smoke devices	Expl. C	No exemption, 73.111.		150 pounds.

PART 73—SHIPPERS

SUBPART A—PREPARATION OF ARTICLES FOR TRANSPORTATION BY CARRIERS BY RAIL FREIGHT, RAIL EXPRESS, HIGHWAY, OR WATER

In § 73.22 amend the table in paragraph (c (16)F R. 9372, Sept. 15, 1951) (49 CFR 1950 Rev., 1953 Supp., 73.22) to read as follows:

§ 73.22 *Specification containers prescribed.* * * *

(c) * * *

When these regulations call for specification numbers—	These specification containers may also be used—	
1A	1	Boxed carboy, glass or earthenware.
1B	1	Boxed carboy, lead.
1C	1	Carboy in keg, glass or earthenware.
3A	3, 25, 26	Cylinder.
3AA	3, 25, 26	Do.
3B	26	Do.
3C	7	Do.
3D	33	Do.
3E	3	Do.
4A	26	Do.
4B	26, 38	Do.
4BA	26, 38	Do.
4C	7	Do.
6B	20A	Metal drum.

* * * * *

2. Amend § 73.28 (d) (15 F R. 8277, Dec. 2, 1950) (49 CFR 73.28, 1950 Rev.) to read as follows:

§ 73.28 *Reused containers.* * * *

(d) Containers previously used for the shipment of any explosive or other dangerous article must have the old markings, including name of contents, addresses, and labels, if any thoroughly removed or obliterated before being used for the shipment of other articles.

* * * * *

3. Amend § 73.31 paragraph (g) Notes 1 and 2 (19 F R. 8524, Dec. 14, 1954) (49 CFR 1950 Rev., 1953 Supp., 73.31) to read as follows:

§ 73.31 *Qualification, maintenance, and use of tank cars.* * * *

(g) * * *

NOTE 1. Periodic retests of metal tanks, safety valves, and heater systems of tank cars, except as provided in Note 2, except those in chlorine service, and except tanks made to specification 106A500, 106A500X, 106A800, 106A800X, or 107A (§§ 78.275, 78,276, or 78.277 of this chapter) now required to be made as prescribed in paragraph (g) of this section may be waived because of the present emergency and until June 30, 1955, or until further order of the Commission.

NOTE 2: Periodic retests of metal tanks, safety valves, and heater systems of specification 103A, 103A-W, 103C, 103C-W, and 103C-AL (§§ 78.266, 78.281, 78.268, or 78.283 of this chapter) tank cars, now required to be made as prescribed in paragraph (g) of this section, may be made at 5-year intervals up to 10 years of service, thereafter at 3-year intervals up to 22 years of service, and annually after 22 years of service until June 30, 1955, or until further order of the Commission.

* * * * *

SUBPART B—EXPLOSIVES; DEFINITIONS AND PREPARATION

1. Amend § 73.51 (h) (15 F R. 8285, Dec. 2, 1950) (49 CFR 73.51, 1950 Rev.) to read as follows:

§ 73.51 *Forbidden explosives.* * * *

(h) Firecrackers, flash crackers or salutes, the explosive content of which exceeds 12 grains each in weight, or pest control bombs, the explosive content of which exceeds 18 grains each in weight.

* * * * *

2. Amend § 73.66 (e) (1) (19 F. R. 3259, June 3, 1954) (49 CFR 73.66, 1950 Rev.) to read as follows:

§ 73.66 *Blasting caps and electric blasting caps.* * * *

(e) * * *

(1) Spec. 14, 15A, or 16A (§ 78.165, § 78.168, or § 78.185 of this chapter) Wooden boxes (see § 73.67 (a) (1) Note 1) or spec. 23F or 23H (§ 78.214 or § 78.219 of this chapter) fiberboard boxes, with inside containers which must be cartons or wrappings with inner containers as prescribed in paragraph (c) of this section, packed in an inside box made of sound lumber, a hermetically sealed metal box of metal not less than 30 gauge United States standard, or a sealed package made of 6 ply Sisalkraft Asphalt Laminated sheeting, or its equivalent; Asphalt Laminated sheeting shall consist of 2 plies of strong fibers, 2 plies of pliable asphalt and 2 plies of protective cover. The minimum tensile strength shall be 20 pounds per inch width in each direction. The laminated sheet shall have a minimum water resistance of 24 hours and a maximum water permeability of 4 grams per square meter per 24 hours. The inside wooden box, metal box, or sealed package must be separated at all points from the outside box by at least one inch of tightly packed sawdust, excelsior, or equivalent cushioning material. Gross weight not to exceed 150 pounds.

* * * * *

3. Amend § 73.93 (f) (1) (17 F R. 1561, Feb. 20, 1952) (49 CFR 1950 Rev., 1953 Supp., 73.93) to read as follows:

§ 73.93 *Propellant explosives for cannon, small arms, rockets, guided missiles, or other devices.* * * *

(f) * * *

(1) In tightly closed metal cans or fiber containers, not exceeding 1 pound each, or in inside metal cans or fiber containers containing not more than one grain of propellant, not exceeding 5 pounds each, packed in outside wooden boxes, spec. 15A, 15B, or 15C (§ 78.168, § 78.169, or § 78.170 of this chapter) or outside fiberboard boxes, spec. 12B, 23F or 23H (§ 78.205, § 78.214, or § 78.219 of this chapter) Not more than 10 pounds of propellant powder may be shipped in one outside container. Each outside container must be plainly marked "Propellant Explosives"

* * * * *

4. Add paragraphs (t) (u) and (v) to § 73.100 (15 F R. 8296, Dec. 2, 1950) (49 CFR 73.100, 1950 Rev.) to read as follows:

§ 73.100 *Definitions of class C explosives.* * * *

(t) Explosive auto alarms are tubular devices containing a small amount of explosive composition and igniting compound which is ignited by an electric spark. These devices must be so designed that they will neither burst nor cause external flame on functioning.

(u) Toy propellant devices and toy smoke devices consist of small paper or composition tubes or containers containing a small charge of slow burning propellant powder or smoke producing powder. These devices must be so designed that they will neither burst nor produce external flame on functioning and ignition elements, if attached, must be of a design approved by the Bureau of Explosives.

(v) Oil well cartridges are tubular devices consisting of a thin fiber, metal, or composition shell containing not more than 200 grains of propellant powder and having no ignition device or element.

5. Add § 73.111 (15 F R. 8297, Dec. 2, 1950) (49 CFR 73.111, 1950 Rev.) to read as follows:

§ 73.111 *Explosive auto alarms, toy propellant devices, and toy smoke devices.* (a) Explosive auto alarms, toy propellant devices, and toy smoke devices must be packed in containers complying with the following specifications:

(1) Spec. 15A, 15B, 16A, or 19A (§ 78.168, § 78.169, §78.185, or § 78.190 of this chapter) Wooden boxes. Gross weight not to exceed 150 pounds.

(2) Spec. 12B (§ 78.205 of this chapter) Fiberboard boxes. Gross weight not to exceed 65 pounds.

(3) Each outside container must be plainly marked with the proper descriptive name and "Handle Carefully"

6. Add § 73.112 (15 F R. 8297, Dec. 2, 1950) (49 CFR 73.112, 1950 Rev.) to read as follows:

§ 73.112 *Oil well cartridges.* (a) Oil well cartridges must be so packed that the explosive composition does not exceed 20 grains per cubic inch of space in the outside shipping container and must be in specification containers as follows:

(1) Spec. 15A, 15B, 16A, or 19A § 78.168, § 78.169, § 78.185, or § 78.190 of this chapter) Wooden boxes. Gross weight not to exceed 150 pounds.

(2) Spec. 12B (§ 78.205 of this chapter) Fiberboard boxes. Gross weight not to exceed 65 pounds.

(3) Each outside container must be plainly marked with the name "Oil Well Cartridge" and "Handle Carefully"

SUBPART C—FLAMMABLE LIQUIDS; DEFINITION AND PREPARATION

1. Add Note 1 to paragraph (a) (17) § 73.119 (15 F R. 8298, Dec. 2, 1950) (49 CFR 73.119, 1950 Rev.) to read as follows:

§ 73.119 *Flammable liquids not specifically provided for* (a) * * *

(17) * * *

NOTE 1. Compartmented tank motor vehicles having compartments not equipped with emergency valves or baffles are authorized provided compartments used for dangerous articles are so equipped when required by the specification and provided each compartment not so equipped is plainly marked near the manhole "This compartment not to be used for flammable liquids"

* * * * *

2. In 73.135 amend the heading, and introductory text of paragraph (a) (18 F R. 3135, June 2, 1953) (49 CFR 1950 Rev., 1953 Supp., 73.135) to read as follows:

§ 73.135 *Dimethyl dichlorosilane, ethyl dichlorosilane, ethyl trichlorosilane, methyl trichlorosilane, trimethyl chlorosilane, and vinyl trichlorosilane.* (a) Dimethyl dichlorosilane, ethyl dichlorosilane, ethyl trichlorosilane, methyl trichlorosilane, trimethyl chlorosilane, and vinyl trichlorosilane must be packed in specification containers as follows:

* * * * *

SUBPART D—FLAMMABLE SOLIDS AND OXIDIZING MATERIALS; DEFINITION AND PREPARATION

1. Amend § 73.188 (a) (4) (15 F R. 8308, Dec. 2, 1950) (49 CFR 73.188, 1950 Rev.) to read as follows:

§ 73.188 *Phosphoric anhydride.* (a) * * *

(4) Spec. 6K (§ 78.101 of this chapter) Metal drums. Authorized only for carload or truckload shipments by rail freight or highway when loaded by the shipper and unloaded by the consignee or his duly authorized agent.

2. In § 73.195 amend paragraph (a) (2) and add paragraph (b) (15 F R. 8309, Dec. 2, 1950) (49 CFR 73.195, 1950 Rev.) to read as follows:

§ 73.195 *Pyroxylin plastic scrap, photographic film scrap, X-ray film scrap, motion-picture film scrap, or pieces of exposed or unexposed film.*

(a) * * *

(2) Spec. 6A, 6B, 6C, or 6J 17H or 37E (single-trip) (§§ 78.97, 78.98, 78.99, 78.100, 78.118, or 78.126 of this chapter) Metal barrels or drums.

* * * * *

(b) Pyroxylin plastic scrap, photographic film scrap, X-ray film scrap, motion picture film scrap, or pieces of exposed or unexposed film which show evidence of decomposition or instability or are liable to decompose or become unstable must be packed submerged in water in specification containers as follows:

(1) Spec. 6A, 6B, or 6C or 17H (single-trip) (§ 78.97, § 78.98, § 78.99, or § 78.118 of this chapter) Metal barrels or drums.

(2) Spec. 15A, 15B, or 15C (§ 78.168, § 78.169, or § 78.170 of this chapter) Wooden boxes with tightly closed inside metal containers.

3. Amend entire § 73.229 (17 F R. 9837, Nov. 1, 1952) (15 F R. 8312, Dec. 2, 1950) (49 CFR 1950 Rev., 1953 Supp., 73.229) to read as follows:

§ 73.229 *Chlorate and borate mixtures or chlorate and magnesium chloride mixtures.* (a) Chlorate and borate mixtures or chlorate and magnesium chloride mixtures containing more than 50 percent chlorate and no other hazardous additives must be packed as follows:

(1) As prescribed in § 73.163.

(b) Chlorate and borate mixtures or chlorate and magnesium chloride mixtures containing more than 25 percent chlorate but less than 50 percent chlorate and no other hazardous additives may also be packed as follows:

(1) As prescribed in § 73.154.

(2) Spec. 44B, 44C, or 44D (§ 78.236, § 78.237, or § 78.238 of this chapter) Multi-wall paper bags not over 50 pounds net weight each. Bags must have at least one inner Kraft paper sheet to which shall be laminated a polyethylene sheet at least 0.0138 inch thick faced to the commodity End closures must be taped, sewn and wax-dipped. Spec. 44B authorized for carload or truckload shipments only by rail freight or highway motor vehicle when loaded by the shipper and unloaded by the consignee or his duly authorized agent.

(c) Chlorate and borate mixtures or chlorate and magnesium chloride mixtures containing no other hazardous additives and containing less than 50 percent chlorate packed in strong tight metal or fiber drums or in wooden boxes with tight inside metal containers are exempt from specification packaging, marking, and labeling requirements for transportation by rail freight or highway.

(d) Chlorate and borate mixtures or chlorate and magnesium chloride mixtures containing 25 percent or less chlorate and no other hazardous additives are not subject to the regulations in Parts 71–78 of this chapter.

SUBPART E—ACIDS AND OTHER CORROSIVE LIQUIDS; DEFINITION AND PREPARATION

1. Amend § 73.252 (a) (3) (15 F R. 8314, 8315, Dec. 2, 1950) (49 CFR 73.252, 1950 Rev.) to read as follows:

§ 73.252 *Bromine.* (a) * * *

(3) Spec. 105A300–W (§ 78.286 of this chapter) Tank cars. The tank must be nickel clad at least 20 percent or must be lined with lead at least 3/16" thick; openings in tank heads to facilitate application of lead lining are authorized and must be closed in an approved manner all closures and appurtenances which are in contact with the lading must be lead lined or must be made of metal not subject to rapid deterioration by contact with the lading; all interior welds in nickel clad tanks must be protected by pure nickel butt straps to eliminate iron contamination. Except as otherwise provided herein the water weight capacity of the tank must not be more than 20,400 pounds, and the maximum quantity of liquid bromine loaded into the tank must not be more than 60,000 pounds or 300 percent of the water weight capacity of the tank, whichever quantity is the lesser. In no case shall the quantity loaded be less than 98 percent of the quantity the tank is authorized to carry When tanks are equipped with manway cover plates, safety valves, venting, loading and unloading valves in accordance with spec. ICC–105A300–W (§ 78.286 of this chapter) and tank jackets are stencilled ICC–105A300–W but in all other respects are constructed and maintained in full compliance with spec. ICC–105A500–W (§ 78.288 of this chapter) the water weight capacity of the tank must not be more than 37,400 pounds, and the maximum quantity of liquid bromine loaded into the tank must not be more than 110,000 pounds or 300 percent of the water weight capacity of the tank, whichever quantity is the lesser.

* * * * *

2. Amend § 73.254 (a) (4) (16 F R. 9375, Sept. 15, 1951) (49 CFR 1950 Rev., 1953 Supp., 73.254) to read as follows:

§ 73.254 *Chlorosulfonic acid and mixtures of chlorosulfonic acid-sulfur trioxide.* (a) * * *

(4) Spec. 103A, 103A–W or 103C–W (§ 78.266, § 78.281, or § 78.283 of this chapter) Tank cars.

* * * * *

3. Amend entire § 73.275 (16 F R. 5325, June 6, 1951) (15 F R. 8321, 8322, Dec. 2, 1950 Rev.) to read as follows:

§ 73.275 *Difluorophosphoric acid, anhydrous, monofluorophosphoric acid, anhydrous, hexafluorophosphoric acid, and mixtures thereof.* (a) Difluorophosphoric acid, anhydrous, monofluorophosphoric acid, anhydrous, hexafluorophosphoric acid, and mixtures thereof must be packed in specification containers as follows:

(1) Spec. 15A, 15B, 15C, 16A, or 19A (§ 78.168, § 78.169, § 78.170, § 78.185, or § 78.190 of this chapter) wooden boxes, spec. 12B (§ 78.205 of this chapter) fiberboard boxes, or spec. 21A or 21B (§ 78.222 or § 78.223 of this chapter) fiber drums with inside containers which must be polyethylene, or other non-fragile plastic bottles resistant to the lading, not over 2 gallons capacity each, closed by means of threaded acid-resistant caps; caps must have at least one complete continuous thread and be additionally sealed to the bottle to prevent turning of cap after bottle is closed for shipment.

(2) Spec. 42B, 42C, or 42D (§ 78.107, 78.108, or 78.109 of this chapter) Aluminum drums not over 55 gallons capacity.

(3) Spec. 1F (§ 78.10 of this chapter) Polyethylene carboys in plywood drums.

(4) Spec. 60 (§ 78.255 of this chapter) Portable tanks. Authorized for inhibited acids enumerated in this paragraph only.

(b) Inside containers must be packed so they cannot change position in the outside container while in transit and inert absorbent cushioning material must be used where necessary.

4. In § 73.280 amend the heading and introductory text of paragraph (a) (18 F R. 3136, June 2, 1953) (49 CFR 1950 Rev., 1953 Supp., 73.280) to read as follows:

§ 73.280 *Allyl trichlorosilane, amyl trichlorosilane, butyl trichlorosilane, cyclohexenyl trichlorosilane,, cyclohexyl trichlorosilane, diethyl dichlorosilane, diphenyl dichlorosilane, dodecyl trichlorosilane, ethyl phenyl dichlorosilane, hexadecyl trichlorosilane, hexyl trichlorosilane, nonyl trichlorosilane, octadecyl trichlorosilane, octyl trichlorosilane, phenyl trichlorosilane, and propyl trichlorosilane.* (a) Allyl trichlorosilane, amyl trichlorosilane, butyl trichlorosilane, cyclohexenyl trichlorosilane, cyclohexyl trichlorosilane, diethyl dichlorosilane, diphenyl dichlorosilane, dodecyl trichlorosilane, ethyl phenyl dichlorosilane, hexadecyl trichlorosilane, hexyl trichlorosilane, nonyl trichlorosilane, octadecyl trichlorosilane, octyl trichlorosilane, phenyl trichlorosilane, and propyl trichlorosilane must be packed in specification containers as follows:

SUBPART F—COMPRESSED GASES; DEFINITION AND PREPARATION

10. In § 73.308 (a) table, amend the entries Dichlorodifluoromethane, Methyl chloride, and Sulfur dioxide (19 F R. 8527, Dec. 14, 1954) (49 CFR 1950 Rev., 1953 Supp., 73.308) to read as follows:

§ 73.308 *Compressed gases in cylinders.* (a) * * *

Kind of gas	Maximum permitted filling density (see Note 12) (percent)	Cylinders (see Note 11) marked as shown in this column must be used except as provided in Note 2 and § 73.34 (a) to (e)
Dichlorodifluoromethane	119	ICC-3A225; ICC-3AA225; ICC-3B225; ICC-4A225; ICC-4B225; ICC-4BA225; ICC-4B240ET; ICC-9.
Methyl chloride (see Note 4)	84	ICC-3A225; ICC-3AA225; ICC-3B225; ICC-4A225; ICC-4B225; ICC-4BA225; ICC-3; ICC-4; ICC-4B240ET; ICC-25; ICC-26-300; ICC-38.
Sulfur dioxide	125	ICC-3A225; ICC-3AA225; ICC-3B225; ICC-4A225; ICC-4B225; ICC-4BA225; ICC-3; ICC-4; ICC-4B240ET; ICC-25; ICC-26-150; ICC-38.

* * * * *

2. Amend § 73.310 (a) (5) and add subparagraph (6) (15 F R. 8327, Dec. 2, 1950) (49 CFR 7.310, 1950 Rev.) to read as follows:

§ 73.310 *Fire extinguishers and component parts thereof.* (a) * * *

(5) Except as provided in subparagraph (6) of this paragraph, each container must be tested before shipment to at least three times the pressure in the container at 70° F when charged and not less than 120 pounds per square inch, and before refilling and reshipping must be retested at this pressure before each shipment. The container shall show no leakage or damage when subjected to this presurse.

(6) When spec. 2P (§ 78.33 of this chapter) metal cans are used as inside containers for pressures not exceeding 85 pounds per square inch, absolute at 70° F or 115 pounds per square inch, absolute, at 130° F the test requirements of subparagraph (5) of this paragraph do not apply but each container must be capable of having the contents heated to 130° F without evidence of leakage or permanent distortion.

3. Amend the heading of § 73.313 and add paragraph (b) (15 F R. 8327, 8328, Dec. 2, 1950) (49 CFR 73.313, 1950 Rev.) to read as follows:

§ 73.313 *Refrigerating machines and hydraulic accumulators.* * * *

(b) Hydraulic accumulators and component parts thereof containing nonliquefied gas for the purpose of operation when shipped under the following conditions are exempt from specification packaging, marking, and labeling requirements for transportation by rail freight, rail express, or highway, but when for transportation by carrier by water they are exempt from specification packaging, marking other than name of contents, and labeling requirements:

(1) Must be shipped as inside containers.

(2) The container under stored pressure shall have an internal volume not exceeding 1,100 cubic inches.

(3) The pressure in the container shall not exceed 200 pounds per square inch at 70° F

(4) The contents shall be nonflammable as covered in § 73.115.

(5) Each container must be tested before shipment to at least three times the pressure in the container at 70° F when charged and not less than 120 pounds per square inch, and before refilling and reshipping must be retested at this pressure before each shipment. The container shall show no leakage or damage when subjected to this pressure.

SUBPART G—POISONOUS ARTICLES; DEFINITION AND PREPARATION

1. Amend § 73.346 (a) (12) (15 F R. 8334, Dec. 2, 1950) (49 CFR 73.346, 1950 Rev.) to read as follows:

§ 73.346 *Poisonous liquids not specifically provided for* (a) * * *

(12) Spec. MC 300, MC 301, MC 302, MC 303, MC 310, or MC 311 (§ 78.321, § 78.322, § 78.323, § 78.324, § 78.330, or § 78.331 of this chapter) Tank motor vehicles.

* * * * *

2. Amend § 73.353 (a) (3) and cancel Note 1 (17 F R. 7282, Aug. 9, 1952) (15 F R. 8335, Dec. 2, 1950) (49 CFR, 1950 Rev., 1953 Supp., 73.353) to read as follows:

§ 73.353 *Methyl bromide.* (a) * * *

(3) Spec. 3A225, 3AA225, 3B225, 3E1800, 4A225, 4B225, or 4BA225 (§ 78.36, § 78.37, § 78.38, § 78.42, § 78.49, § 78.50, or § 78.51 of this chapter) Metal cylinders. Valves or other closing devices must be protected to prevent injury in transit by screw-on metal caps or by packing the cylinders in strong boxes or crates. Cylinders having a wall thickness of less than 0.08 inch must be packed in boxes or crates (see § 73.25)

(Note 1. Canceled.)

* * * * *

3. Add paragraph (a) (9) to § 73.358 (17 F R. 4295, May 10, 1952) (49 CFR 1950 Rev., 1953 Supp., 73.358) to read as follows:

§ 73.358 *Hexaethyl tetraphosphate, methyl parathion, parathion, tetraethyldithio pyrophosphate, and tetraethyl pyrophosphate, liquid.* (a) * * *

(9) Spec. 12B (§ 78.205 of this chapter) Fiberboard boxes with not more than one inside container of polyethylene, or other nonfragile plastic material, and closed by a screw cap of similar material, not over 16 ounces, surrounded by absorbent cushioning and packed in a one gallon securely closed metal can which shall be surrounded with absorbent cushioning material within the outside fiberboard box.

4. Amend § 73.391 (b) and (c) (15 F R. 8339, Dec. 2, 1950) (49 CFR 73.391, 1950 Rev.) to read as follows:

§ 73.391 *Radioactive materials class D poison, definition.* * * *

(b) Not more than 2,000 millicuries of radium, polonium, or other members of the radium family of elements, and not more than 2,700 millicuries (disintegration rate of 100,000 million (10^{11}) atoms per second) of any other radioactive substance may be packed in one outside container for shipment by rail freight, rail express, or highway except by special arrangements and under conditions approved by the Bureau of Explosives or except as specifically provided in subparagraph (c) of this section.

NOTE 1. For purposes of Parts 71–78 of this chapter one millicurie is that amount of any radioactive material which disintegrates at the rate of 37 million atoms per second.

(c) Not more than 300 curies of solid cesium 137, cobalt 60, or iridium 192 may be packed in one outside container for shipment by rail freight, rail express, or highway except by special arrangements and under conditions approved by the Bureau of Explosives.

5. Amend § 73.392 (b) (15 F R. 8339, Dec. 2, 1950) (49 CFR 73.392, 1950 Rev.) to read as follows:

§ 73.392 *Exemptions for radioactive materials.* * * *

(b) Manufactured articles other than liquids, such as instrument or clock dials or electronic tubes and apparatus, of which radioactive materials are a component part, and luminous compounds, when securely packed in strong outside containers are exempt from specification packaging, marking, and labeling requirements provided the gamma radiation at any surface of the package is less than 10 milliroentgens in 24 hours.

(1) Switchboard or similar apparatus containing electronic tubes, of which radioactive materials are a component part, are exempt from specification packaging, marking, and labeling requirements when shipped in carload or truckload lots or when transported by private motor carrier provided the gamma radiation at any readily accessibl surface of the units when prepared for shipment does not exceed 50 milliroentgens in 24 hours.

* * * * *

6. Amend § 73.393 (f) and Note 1 to paragraph (h) (4) (19 F R. 8528, 8529, Dec. 14, 1954) (15 F R. 8339, Dec. 2, 1950) (49 CFR 73.393, 1950 Rev.) to read as follows:

§ 73.393 *Packing and shielding.* * * *

(f) The outside shipping container for any radioactive material, unless specifically exempt by § 73.392 or unless approved by the Bureau of Explosives, shall be as follows:

(1) Spec. 15A or 15B (§ 78.168 or § 78.169 of this chapter) Wooden boxes. Authorized for not more than 2,700 millicuries.

(2) Spec. 12B (§ 78.205 of this chapter) Fiberboard boxes. Authorized for not more than 2,700 millicuries.

(3) Spec. 21A or 21B (§ 78.222 or § 78.223 of this chapter) Fiber drums. Authorized for not more than 2,700 millicuries.

(4) Spec. 6A, 6B, or 6C; 17C or 17H (single-trip) (§ 78.97, § 78.98, § 78.99, § 78.115, or § 78.118 of this chapter) Metal barrels or drums. Authorized for not more than 2,700 millicuries.

(5) Spec. 55 (§ 78.250 of this chapter) Metal-encased, lead-shielded containers. Authorized for not more than 300 curies (see § 73.391) Containers must be equipped with a seal.

* * * * *

(h) * * *

(4) * * *

NOTE 1. For purposes of Parts 71–78 of this chapter the "physical equivalent" of a roentgen is that amount of radiation that would be absorbed in tissue to the extent of approximately 100 ergs per gram (mrhm. is an abbreviation for milliroentgens per hour at 1 meter (39.3 inches)).

* * * * *

7. Amend § 73.395 (a) (16 F R. 9665, Sept. 21, 1951) (49 CFR 1950 Rev., 1953 Supp., 73.395) to read as follows:

§ 73.395 *Cleaning cars and vehicles.* (a) Any box car or motor vehicle which, after use for the transportation of radioactive materials in carload or truckload lots, is contaminated with such materials to the extent that a survey of the interior surface shows that the beta-gamma radiation is greater than 10 milliroentgens physical equivalent in 24 hours or that the average alpha contamination is greater than 500 disintegrations per minute per 100 square centimeters shall be thoroughly cleaned in such a manner that a resurvey of the interior surface shows the contamination to be below these levels. A certificate to that effect must be furnished to the local agent of the carrier or to the driver of the motor vehicle. Cars and motor vehicles which are used solely for the transportation of radioactive materials are exempt from the provisions of this section.

SUBPART H—MARKING AND LABELING EXPLOSIVES AND OTHER DANGEROUS ARTICLES

Amend § 73.400 (a) (15 F R. 8340, Dec. 2, 1950) (49 CFR 73.400, 1950 Rev.) to read as follows:

§ 73.400 *Explosives.* (a) Each package containing explosives must be marked with its proper shipping name as shown in § 72.5 of this chapter and such other marking as prescribed for the explosive in the shipment. Abbreviations must not be used. (See Note 1)

NOTE 1. In descriptions of ammunition, such as ammunition for cannon without projectiles, etc., the words with or without may be abbreviated as W or W/O, i. e., Ammunition for cannon W/O projectiles.

* * * * *

PART 74—CARRIERS BY RAIL FREIGHT

SUBPART A—LOADING, UNLOADING, PLACARDING AND HANDLING CARS; LOADING PACKAGES INTO CARS

1. In § 74.525 amend paragraph (a) and Note 1 to paragraph (c) (3) (17 F R. 1563, Feb. 20, 1952) (15 F R. 8346, Dec. 2, 1950) (49 CFR 1950 Rev., 1953 Supp., 74.525) to read as follows:

§ 74.525 *Loading packages of explosives in cars, selection, preparation, inspection, and certification.* (a) Except as provided in § 71.13 (a) (3) of this chapter and § 74.526 (b) (n) and (o) explosives, class A, must be loaded in closed cars, certified and placarded "Explosives"

* * * * *

(c) * * *

(3) * * *

NOTE 1. Both certificates must be signed; certificate No. 1 by the representative of the carrier. For all shipments loaded by the shipper, he or his authorized agent must sign certificate No. 2, and the representative of the carrier must certify as to loading and staying and general conditions. When the car is not loaded by the shipper, certificate No. 2 must be signed only by the representative of the carrier. A shipper must decline to use a car not in proper condition. For cars other than box cars, inapplicable provisions of the certificates may be struck out.

2. In § 74.526 amend paragraph (n) add paragraph (o) (17 F R. 1563, Feb. 20, 1952) (15 F R. 8347, Dec. 2, 1950) (49 CFR 1950 Rev., 1953 Supp., 74.526) to read as follows:

§ 74.526 *Loading explosives into cars.* * * *

(n) Container cars or portable metal containers on flat cars or gondola cars (drop-bottom cars not authorized) when properly loaded, blocked, and braced to prevent change of position under conditions incident to normal transportation handling, may be used for any class A explosive except black powder packed in metal containers.

(1) Portable metal containers must be of such design and so braced that there will be no evidence of failure of the container or the bracing when subjected to impact of at least 9 miles per hour. Efficiency shall be determined by actual test, using dummy loads equal in weight and general character to material to be shipped.

(2) Container cars or cars which are loaded with portable metal containers must be placarded with the "Explosives" placards as prescribed in § 74.550 and properly executed car certificates as required by § 74.525.

(o) Explosives, class A, may be loaded and transported in tight, closed truck bodies or trailers on flat cars provided all of the following requirements are fulfilled:

(1) Truck body or trailer must meet the requirements of Part 77 of these regulations, applicable to shipments of explosives by motor vehicle.

(2) Truck body or trailer shall be so loaded and braced on the car that it will not change position or show evidence of failure or impending failure of the bracing or blocking under impact of at least 9 miles per hour. Efficiency shall be determined by actual test, using dummy loads equal in weight and general character to material to be shipped.

(3) Lading shall be so loaded, blocked, and braced within the container that it will not change position under impact of at least 8 miles per hour.

(4) Cars or truck bodies or trailers on cars must be placarded with the "Explosives" placards as prescribed in § 74.550 and properly executed car certificates as required by § 74.525.

SUBPART D—UNLOADING FROM CARS

Amend § 74.566 (d) (19 F R. 8529, Dec. 14, 1954) (49 CFR 74.566, 1950 Rev.) to read as follows:

§ 74.566 *Cleaning cars.* * * *

(d) Any box car which, after use for the transportation of radioactive materials in carload lots, is contaminated with such materials to the extent that a survey of the interior surface shows that the beta-gamma radiation is greater than 10 milliroentgens physical equivalent in 24 hours or that the average alpha contamination is greater than 500 disintegrations per minute per 100 square centimeters shall be thoroughly cleaned in such a manner that a resurvey of the interior surface shows the contamination to be below these levels. A certificate to that effect must be furnished to the local agent of the carrier. Cars which are used solely for the transportation of radioactive materials are exempt from the provisions of this section.

SUBPART E—HANDLING BY CARRIERS BY RAIL FREIGHT

1. In § 74.589 amend the introductory text of paragraph (c) (15 F R. 8356, Dec. 2, 1950) (49 CFR 74.589, 1950 Rev.) to read as follows:

§ 74.589 *Handling cars.* * * *

(c) *Switching cars containing explosives or poison gas or placarded trailers on flat cars.* A car placarded "Explosives" or placarded "Poison Gas" or any flat car carrying a placarded trailer shall not be cut off while in motion. No car moving under its own momentum shall be allowed to strike any car placarded "Explosives" or placarded "Poison Gas" or any flat car carrying a placarded trailer, nor shall any such car be coupled into with more force than is necessary to complete the coupling.

* * * * *

2. Amend § 74.593 (a) (15 F R. 8357, Dec. 2, 1950) (49 CFR 74.593, 1950 Rev.) to read as follows:

§ 74.593 *Charcoal fires.* (a) When fire occurs in charcoal in transit, water should not be used if it is practicable to locate and remove the material on fire, since wet charcoal is much more liable to ignite spontaneously and the fire cannot be stopped permanently by the use of water. Any material which has become wet in extinguishing fire must be removed from the car and not reshipped, the remainder of the charcoal must be held under observation in a dry place for at least five days before forwarding.

3. Add § 74.602 (15 F R. 8359, Dec. 2, 1950) (49 CFR 74.602, 1950 Rev.) to read as follows:

§ 74.602 *Placarded cars involved in fires.* (a) Placarded cars which have been on fire due to hot journals or any other cause shall not be transported, except to the extent necessary to facilitate fire fighting, until it has been determined that there is no fire remaining within the car.

PART 77—SHIPMENTS MADE BY WAY OF COMMON, CONTRACT, OR PRIVATE CARRIERS BY PUBLIC HIGHWAY

Cancel the fourth undesignated paragraph following the authority citation for Part 77 (15 F R. 8824, Dec. 13, 1950) (49 CFR, 1950 Rev.) reading as follows:

Documents accompanying all shipments made by way of common, contract, and private carriers, subject to Parts 71–78 of this chapter, shall bear license numbers of the consignees of such shipments according to requirement of the Director, United States Bureau of Mines; and that all losses and thefts of explosives in transit by way of such carriers shall be reported promptly to the Bureau of Service, Interstate Commerce Commission for transmission to the said Bureau of Mines, by the carrier in whose control the explosives were at the time of any such loss or theft.

* * * * *

SUBPART A—GENERAL INFORMATION AND REGULATIONS

Amend § 77.817 introductory text of paragraph (a) (15 F R. 8363, Dec. 2, 1950) (49 CFR 77.817, 1950 Rev.) to read as follows:

§ 77.817 *Shipping papers.* (a) Every motor carrier operating a motor vehicle transporting explosives or other dangerous articles shall require the driver of the vehicle to have in his possession, and the driver shall keep in his possession during the course of such transportation, a manifest, memorandum receipt, bill of lading, shipping order, shipping paper, or other memorandum setting forth the following information for each class of such article being transported: The shipping name, the total quantity by weight, volume, or otherwise as appropriate of each kind of explosive or other dangerous article, and the prescribed label when required for the outside container of such article.

SUBPART D—VEHICLES AND SHIPMENTS IN TRANSIT; ACCIDENTS

Amend § 77.860 paragraph (d) (19 F R. 8529, 8530, Dec. 14, 1954) (49 CFR 77.860, 1950 Rev.) to read as follows:

§ 77.860 *Accidents; poisons.* * * *

(d) *Cleaning vehicles.* Any motor vehicle which, after use for the transportation of radioactive materials in truckload lots, is contaminated with such materials to the extent that a survey of the interior surface shows that the beta-gamma radiation is greater than 10 milliroentgens physical equivalent in 24 hours or that the average alpha contamination is greater than 500 disintegrations per minute per 100 square centimeters shall be thoroughly cleaned in such a manner that a resurvey of the interior surface shows the contamination to be below these levels. A certificate to that effect must be furnished the carrier or to the driver of the motor vehicle. Motor vehicles which are used solely for the transportation of radioactive materials are exempt from the provisions of this section.

PART 78—SHIPPING CONTAINER SPECIFICATIONS

SUBPART A—SPECIFICATIONS FOR CARBOYS, JUGS IN TUBS, AND RUBBER DRUMS

1. Amend § 78.1–4 (a) (15 F R. 8373, Dec. 2, 1950) (49 CFR 78.1–4, 1950 Rev.) to read as follows:

§ 78.1 *Specification 1A, boxed carboys.*

* * * * *

§ 78.1–4 *Capacity and marking of carboy.* (a) Containers 5 to 13 gallons are classed as carboys. Must be embossed to indicate maker and year of manufacture; mark of maker to be registered with the Bureau of Explosives.

2. Amend § 78.3–4 (a) (15 F R. 8375, Dec. 2, 1950) (49 CFR 78.3–4, 1950 Rev.) to read as follows:

§ 78.3 *Specification 1C; carboys in kegs.*

* * * * *

§ 78.3–4 *Capacity and marking of carboy.* (a) Containers 5 to 13 gallons are classed as carboys. Must be embossed to indicate maker and year of manufacture; mark of maker to be registered with the Bureau of Explosives.

3. Amend § 78.4–4 (b) (15 F R. 8376, Dec. 2, 1950) (49 CFR 78.4–4, 1950 Rev.) to read as follows:

§ 78.4 *Specification 1D boxed glass carboys.*

* * * * *

§ 78.4–4 *Capacity and marking of carboy.* * * *

(b) *Marking.* Each carboy bottle must be embossed in bottom as follows:

Maker's mark (to be registered with Bureau of Explosives)
Year of Manufacture
ICC–1D

4. Amend § 78.5–3 (a) (15 F R. 8377, Dec. 2, 1950) (49 CFR 78.5–3, 1950 Rev.) to read as follows:

§ 78.5 *Specification 1X, boxed carboys.*

* * * * * *

§ 78.5–3 *Capacity and marking of carboy* (a) Containers must be 5 to 6 gallon size and embossed to indicate maker and year of manufacture.

5. Amend § 78.6–4 (a) (15 F R. 8377, Dec. 2, 1950) (49 CFR 78.6–4, 1950 Rev.) to read as follows:

§ 78.6 *Specification 1EX, glass carboys in plywood drums.*

* * * * *

§ 78.6–4 *Capacity and marking of carboy.* (a) Containers must be 5 to 6½ gallons capacity and embossed to indicate maker and year of manufacture.

6. Amend § 78.7–3 (a) (16 F R. 11781, Nov. 21, 1951) (49 CFR 1950 Rev., 1953 Supp., 78.7–3) to read as follows:

§ 78.7 *Specification 1E, glass carboys in plywood drums.*

* * * * *

§ 78.7–3 *Capacity and marking of carboy.* (a) Glass containers 5 to 7 gallons in this specification are classed as carboys. Must be embossed to indicate maker and year of manufacture; mark of maker to be registered with the Bureau of Explosives.

SUBPART B—SPECIFICATIONS FOR INSIDE CONTAINERS, AND LININGS

Amend § 78.34–1 (a) (15 F R. 8381, Dec. 2, 1950) (49 CFR 78.34–1, 1950 Rev.) to read as follows:

§ 78.34 *Specification 2R, inside containers, metal tubes.*

* * * * *

§ 78.34–1 *Size.* (a) Outside diameter of the tube must not exceed 6 inches and length must not exceed 16 inches exclusive of flanges or handling or fastening devices.

§ 78.34–2 *Manufacture.* (a) Stainless steel, malleable iron, or brass having a wall thickness of not less than 3/32 inch for diameter up to 2 inches and not less than ⅛ inch for diameter up to 6 inches. The ends of the tube must be fitted with screw type closures or flanges (see subparagraph (4) of this section) except that one end of the tube may be permanently closed by a welded or brazed plate. Welded or brazed side seams are authorized.

§ 78.34–3 *Welding and brazing.* (a) Must be done in a workmanlike manner and must be free from defects.

§ 78.34–4 *Closing devices.* (a) Must be of screw type, except that securely bolted flange closure provided with suitable gasket is authorized for openings exceeding 3 inches in diameter. When of screw thread type, number of threads per inch must be not less than United States standard pipe threads. Caps or plugs are authorized.

SUBPART C—SPECIFICATIONS FOR CYLINDERS

1. Amend § 78.51–20 (a) Table I (16 F R. 9380, Sept. 15, 1951) (49 CFR, 1950 Rev., 1953 Supp., 78.51–20) to read as follows:

§ 78.51 *Specification 4BA, welded or brazed steel cylinders made of definitely prescribed steels.*

* * * * *

§ 78.51–20 *Authorized steel.* (a) * * *

TABLE I—AUTHORIZED MATERIALS

Designation	Chemical analysis—limits in percent				
	1315[24]	HIS[24]	MAY[24]	NAX[24]	COR[24]
Carbon	0.10/0.20	0.12 maximum	0.12 maximum	0.20 maximum	0.12 maximum.
Manganese	1.10/1.65	0.50/0.90	0.50/1.00	0.45/0.75	0.20/0.50.
Phosphorus	0.045 maximum	0.05/0.12	0.12 maximum	0.045 maximum	0.07/0.15.
Sulfur	0.05 maximum	0.05 maximum	0.05 maximum	0.05 maximum	0.05 maximum.
Silicon	0.15/0.35	0.15 maximum	0.10/0.50	0.50/0.90	0.25/0.75.
Chromium			0.40/1.00	0.45/0.70	0.50/1.25.
Molybdenum		0.08/0.18			
Zirconium				0.05/0.25	
Nickel		0.45/0.75	0.50/1.00		0.65 maximum.
Copper	0.40 maximum	0.95/1.30	0.20/0.50		0.25/0.55.
Aluminum		0.12/0.27			
Heat treatment authorized.	(3)	(3)	(3)	(3)	(3)
Maximum stress	35,000	35,000	35,000	35,000	35,000.
	SCX[24]	4017[24]	OTY[2 4 5]	RDT[2 4 5 6]	YOL[2 4 5 6]
Carbon	0.20 maximum	0.13/0.20	0.15 maximum	0.12 maximum	0.15 maximum.
Manganese	0.60/1.00	0.75/1.10	0.90/1.40	0.50/1.00	0.30/0.60.
Phosphorus	0.045 maximum	0.04 maximum	0.09/0.135	0.040 maximum	0.04 maximum.
Sulfur	0.045 maximum	0.04 maximum	0.04 maximum	0.050 maximum	0.05 maximum.
Silicon	0.15/0.30	0.25/0.35	0.10 maximum		
Chromium	0.15/0.50				
Molybdenum	0.15/0.35	0.25/0.35		0.10/0.30	
Zirconium					
Nickel				0.50/1.20	1.50/2.00.
Copper	0.20/0.50		0.30/0.70	0.50/1.00	0.75/1.25.
Aluminum					
Heat treatment authorized.	(3)	(3)	(3)	(3)	(3)
Maximum stress	35,000	35,000	35,000	35,000	35,000.

(No change in Notes.)

2. Amend § 78.60–4 (a) Table I (16 F R. 9381, Sept. 15, 1951) (49 CFR, 1950 Rev., 1953 Supp., 78.60–4) to read as follows:

§ 78.60 *Specification 8AL, steel cylinders with approved porous filling for acetylene.*

§ 78.60–4 *Authorized steel.* (a) * * *

TABLE I—AUTHORIZED MATERIALS

Designation	Chemical analysis—limits in percent				
	1315[24]	HIS[24]	MAY[24]	NAX[24]	COR[24]
Carbon	0.10/0.20	0.12 maximum	0.12 maximum	0.20 maximum	0.12 maximum.
Manganese	1.10/1.65	0.50/0.90	0.50/1.00	0.45/0.75	0.20/0.50.
Phosphorus	0.045 maximum	0.05/0.12	0.12 maximum	0.045 maximum	0.07/0.15.
Sulfur	0.05 maximum	0.05 maximum	0.05 maximum	0.05 maximum	0.05 maximum.
Silicon	0.15/0.35	0.15 maximum	0.10/0.50	0.50/0.90	0.25/0.75.
Chromium			0.40/1.00	0.45/0.70	0.50/1.25.
Molybdenum		0.08/0.18			
Zirconium				0.05/0.25	
Nickel		0.45/0.75	0.50/1.00		0.65 maximum.
Copper	0.40 maximum	0.95/1.30	0.20/0.50		0.25/0.55.
Aluminum		0.12/0.27			
Heat treatment authorized.	(3)	(3)	(3)	(3)	(3).
Maximum stress	35,000	35,000	35,000	35,000	35.,000
	SCX[24]	4017[24]	OTY[2 4 5]	RDT[2 4 5 6]	YOL[2 4 5 6]
Carbon	0.20 maximum	0.13/0.20	0.15 maximum	0.12 maximum	0.15 maximum.
Manganese	0.60/1.00	0.75/1.10	0.90/1.40	0.50/1.00	0.30/0.60.
Phosphorus	0.045 maximum	0.040 maximum	0.09/0.135	0.040 maximum	0.04 maximum.
Sulfur	0.045 maximum	0.040 maximum	0.040 maximum	0.050 maximum	0.05 maximum.
Silicon	0.15/0.30	0.025/0.35	0.10 maximum		
Chromium	0.15/0.50				
Molybdenum	0.15/0.35	0.25/0.35		0.10/0.30	
Zirconium					
Nickel				0.50/1.20	1.50/2.00.
Copper	0.20/0.50		0.30/0.70	0.50/1.00	0.75/1.25.
Aluminum					
Heat treatment authorized.	(3)	(3)	(3)	(3)	(3).
Maximum stress	35,000	35,000	35,000	35,000	35.000.

(No change in Notes)

3. In § 78.66–17 amend the introductory text of paragraph (a) (15 F R. 8429, Dec. 2, 1950) (49 CFR 78.66–17, 1950 Rev.) to read as follows:

§ 78.66 *Specification 40· inside containers, non-refillable seamless or welded or brazed steel cylinders.*

* * * * *

§ 78.66–17 *Marking.* (a) Marking on each cylinder by embossing plainly and permanently on valve end of cylinder before heat-treatment, the marks ICC–40 and registered symbol of manufacturer.

* * * * *

SUBPART D—SPECIFICATIONS FOR METAL BARRELS, DRUMS, KEGS, CASES, TRUNKS AND BOXES

Amend § 78.116–7 (a) amend § 78.116–8 (b) add paragraph (d) to § 78.116–8 (15 F R. 8448, Dec. 2, 1950) (16 F R. 5329, June 6, 1951) (49 CFR 1950 Rev., 1953 Supp., 78.116–7, 78.116–8) to read as follows:

§ 78.116 *Specification 17E; steel drums.*

* * * * *

§ 78.116–7 *Convex heads.* (a) Convex (crowned) heads, not extending beyond level of chime, required for drums of 25 gallons capacity or over· minimum convexity ⅜ inch for capacity 25 to 35 gallons, inclusive, and ¾ inch for larger drums, except that minimum convexity of ⅜ inch is authorized for drums made of 18 gauge material throughout regardless of capacity.

§ 78.116–3 *Closures.* * * *

(b) Closing part (plug, cap, plate, etc., see Note 1) must be of metal as thick as prescribed for head of container· *Provided,* That thinner metal closures or closures of other material are authorized for containers of 12 gallons capacity or less when opening to be closed is not over 2.5 inches in diameter and closures, except threaded metal closures, are fitted with outside sealing devices which cannot be removed without destroying the closure or sealing device. (See paragraph (d) of this section.)

NOTE 1. This does not apply to cap seal over a closure which complies with all requirements.

* * * * *

(d) Closures of screw-thread type or closed by positive means, of any material or design, may be authorized by the Bureau of Explosives for use, upon satisfactory proof of efficiency.

SUBPART F—SPECIFICATIONS FOR FIBERBOARD BOXES, DRUMS, AND MAILING TUBES

Amend entire § 78.219–12 (17 F R. 9840, Nov 1, 1952) (17 F R. 1564, Feb. 20, 1952) (49 CFR 1950 Rev., 1953 Supp., 78.219–12) to read as follows:

§ 78.219 *Specification 23H, fiberboard boxes.*

* * * * *

§ 78.219–12 *Closing for shipment.* (a) The upper and lower sections of the container shall be secured together by the application of one single strip of tape not less than 1 inch wide, exclusive of manufacturer's joint disposed entirely around the perimeter of the container and spaced approximately equally distant over each portion of the container at the seam of abutting covers. The ends of the tape around the perimeter of the container must overlap 1½ inches minimum.

(b) Or, the container may be closed by using tape as specified in § 78.219–5 (a) for vertical application. When closed by this method, the cover of the container shall be secured to the bottom by application of single strip of tape, not less than ½ inch wide, to the sides and in a vertical manner; two strips, one on each side for containers 18 inches in length or under· four strips, two on each side, minimum for containers over 18 inches in length. The taping shall start within 1 inch of the top-side score and extend to within 1 inch of the side-bottom score and in no case shall the strips be less than 4 inches in length.

(c) Or, by two 16-gauge steel wires or metal straps of equal efficiency of non-sparking quality· one wire centered to encircle the top, bottom, and ends, and the other centered to encircle the top, bottom, and sides, with wire ends securely twisted together.

(d) Tape used in closing must be at least equal in efficiency to that used on boxes passing the drum test prescribed in § 78.219–16.

SUBPART H—SPECIFICATIONS FOR PORTABLE TANKS

Add § 78.250 (15 F R. 8484, Dec. 2, 1950) (49 CFR 78.250, 1950 Rev.) to read as follows:

§ 78.250 *Specification 55, metal-encased, lead-shielded, radioactive materials container*

§ 78.250–1 *Compliance.* (a) Required in all details.

§ 78.250–2 *Requirements for design and construction.* (a) Lead shield to be encased in mild steel or equally fire-resistant metal of minimum wall thickness, as follows:

(1) One-eighth inch (⅛") thick for not more than 6 inches of lead (see Note 1)

(2) One-fourth inch (¼") thick for more than 6 inches of lead (see Note 1)

NOTE 1. Thickness of lead to be measured from outer edge of source cavity to nearest point on outer container wall.

(b) Lead shield to be completely encased so that molten lead will not flow away or lose its shielding efficiency if involved in a fire. The shield must be supported in the outer container in such manner that it cannot change position under any ordinary conditions. Parts of the shield must be so designed that radiation cannot be "beamed" at point where sections join (offset design required)

(c) Containers weighing more than 500 pounds must be fitted with skids or otherwise designed so that excessive weight will be prevented on small areas of car or truck floors.

(d) Containers weighing more than 500 pounds must be provided with hooks, handles, skids, or other devices to facilitate handling.

(e) Containers must be of such size and design as are necessary to reduce the radiation from the container to within the limits prescribed in § 73.393 of this chapter.

§ 78.250–3 *Welding and brazing.* (a) When used to join parts of the container welding and brazing must be performed in a workmanlike manner and shall provide a joint efficiency of not less than 85 percent. The melting point of brazing material must be in excess of 1,000° F

§ 78.250–4 *Closures.* (a) Closure must be by positive fastening device capable of withstanding severe impacts without failure.

(b) Lead shielding forming part of closing device must be completely encased in mild steel or equally fire-resistant metal.

(c) Closure must be of off-set design where inserted into other parts of the container.

(d) A means must be provided on the closure to accommodate a seal of a type that must be destroyed if container is opened for any purpose.

§ 78.250–5 *Marking.* (a) Marking on each container in an unobstructed area, by embossing or die-stamping on the container, or on a metal plate attached to the container by welding or brazing, in letters and figures at least ¼" in height, as follows:

(1) ICC–55*** (stars to be replaced by the tare weight of the container (for example: ICC–55 850)) These marks shall be understood to certify that the container complies with all specification requirements.

(2) The words "RADIOACTIVE MATERIAL."

(3) Name or symbol (letters) of maker· this must be recorded with the Bureau of Explosives.

SUBPART I—SPECIFICATIONS FOR TANK CARS

Amend entire § 78.277 (18 F R. 806, Feb. 7, 1953) (15 F R. 8501, 8502, Dec. 2, 1950) (49 CFR 1950 Rev., 1953 Supp., 78.277) to read as follows:

§ 78.277 *Specification ICC–107A**** seamless steel tanks to be mounted on or forming part of a car* (a) Wherever the word "approved" is used in this specification it means approval by the Association of American Railroads Committee on Tank Cars as prescribed in § 78.259 (a) (b) (c) and (d)

§ 78.277–1 *Type and general requirements.* (a) Tanks built under this specification must be hollow forged or drawn in one piece. Forged tanks must be machined inside and outside before ends are necked-down and, after necking-down, the ends must be machined to size on the ends and outside diameter. Machining not necessary on inside or outside of seamless steel tubing, but required on ends after necking-down.

(b) Tanks must be fabricated by approved methods.

(c) For tanks made in foreign countries, chemical analysis of material and all tests as specified must be carried out within the limits of the United States under supervision of a competent and disinterested inspector· in addition to which, provisions of paragraphs (b) and (c) in § 78.277–17 must be carried out at the point of manufacture by a rec-

ognized inspection bureau with principal office in the United States.

(d) The terms "marked end" and "marked test pressure" used throughout this specification are defined as follows:

(1) "Marked end" is that end of the tank on which marks prescribed in § 78.277–16 are stamped.

(2) "Marked test pressure" is that pressure in pounds per square inch which is indicated by the figures substituted for the **** in the marking ICC–107A**** stamped on the marked end of tank.

(e) The gas pressure at 130° F in the tank must not exceed 7/10 of the marked test pressure of the tank.

§ 78.277–2 *Thickness of wall.* (a) Minimum thickness of wall of each finished tank must be such that at a pressure equal to 7/10 of the marked test pressure of the tank, the calculated fiber stress in pounds per square inch at inner wall of tank multiplied by 3.0 will not exceed the tensile strength of any specimen taken from the tank and tested as prescribed in paragraph (b) in § 78.277–5. Minimum wall thickness shall be ¼ inch.

(b) Calculations to determine the maximum marked test pressure permitted to be marked on the tank must be made by the formula.

$$P=\frac{10S(D^2-d^2)}{7(D^2+d^2)}$$

where:

P = Maximum marked test pressure permitted.

$$S=\frac{U}{3.0}$$

where:

U = Tensile strength of that specimen which shows the lower tensile strength of the two specimens taken from the tank and tested as prescribed in paragraph (b) in § 78.277–5.

3.0 = Factor of safety.

$\frac{D^2-d^2}{D^2+d^2}$ = The smaller value obtained for this factor by the operations specified in paragraph (c) in § 78.277–2.

(c) Measure at one end, in a plane perpendicular to the longitudinal axis of the tank and at least 18 inches from that end before necking down:

d = Maximum inside diameter (inches) for the location under consideration; to be determined by direct measurement to an accuracy of 0.05 inch.

t = Minimum thickness of wall for the location under consideration; to be determined by direct measurement to an accuracy of 0.001 inch.

Take $D=d+2t$.

Calculate the value of $\frac{D^2-d^2}{D^2+d^2}$

Make similar measurements and calculation for a corresponding location at the other end of the tank.

Use the smaller result obtained, from the foregoing, in making calculations prescribed in paragraph (b) of this section.

§ 78.277–3 *Material.* (a) Tanks must be made from open-hearth or electric steel of uniform quality. Material must be free from seams, cracks, laminations, or other defects injurious to finished tank. If not free from such defects, the surface may be machined or ground to eliminate these defects. Forgings and seamless tubing for bodies of tanks must be stamped with heat numbers.

(b) Steel must conform to the following requirements as to chemical composition:

	Carbon steel (percent)	Alloy steel (percent)
Carbon, not over	0.55	[1] 0.50
Manganese, not over	.80	[1] 1.65
Phosphorus:		
Acid, not over	.05	.05
Basic, not over	.04	.04
Sulphur:		
Acid, not over	.06	.06
Basic, not over	.05	.05
Sum of manganese and carbon,[1] not over		2.10

[1] Steel containing other alloying elements may be used if approved.

(1) For instructions as to the obtaining and checking of chemical analysis, see paragraph (b) (3) in § 78.277–17.

§ 78.277–4 *Heat treatment.* (a) Each necked-down tank must be uniformly and properly heat treated. Heat treatment must consist of annealing or normalizing and drawing. Heat treatment involving the use of liquid quenching medium is prohibited, except under special approval. All scale must be removed from inside and outside of tank to an extent sufficient to allow proper inspection.

(b) To check uniformity of heat treatment, Brinell hardness tests must be made at 18 inch intervals on the entire longitudinal axis. The hardness must not vary more than 35 points in the length of the tank. No hardness tests need be taken within 12 inches from point of head to shell tangency.

§ 78.277–5 *Physical tests.* (a) Physical tests must be made on 2 test specimens 0.505 inch in diameter within 2-inch gauge length, taken 180° apart, one from each ring section cut from each end of each forged or drawn tube before necking down, or one from each prolongation at each end of each necked-down tank. These test specimen ring sections or prolongations must be heat treated with the necked-down tank which they represent. The width of the test specimen ring section must be at least its wall thickness. Only when diameters and wall thickness will not permit removal of 0.505 by 2-inch tensile test bar, laid in the transverse direction, may test bar cut in the longitudinal direction be substituted. When the thickness will not permit obtaining a 0.505 specimen, then the largest diameter specimen obtainable in the longitudinal direction shall be used. Specimens shall have bright surface and a reduced section. When 0.505 specimen is not used the gauge length shall be a ratio of 4 to 1 length to diameter.

(b) Elastic limit as determined by extensometer, must not exceed 70 percent of the tensile strength. Determination shall be made at cross head speed of not more than 0.125 inch per minute with an extensometer reading to 0.0002 inch. The extensometer shall be read at increments of stress not exceeding 5,000 pounds per square inch. The stress at which the strain first exceeds.

$$\frac{\text{stress (pounds per square inch)}}{30{,}000{,}000\text{ (pounds per square inch)}}\text{ plus 0.005 (inches per inch)}$$

shall be recorded as the elastic limit.

(1) Elongation must be at least 18 percent and reduction of area at least 35 percent.

NOTE: Upon approval, the ratio of elastic limit to ultimate strength may be raised to permit use of special alloy steels of definite composition that will give equal or better physical properties than steels herein specified.

§ 78.277–6 *Openings in tanks.* (a) Each end must be closed by a cover made of forged steel. Covers must be secured to ends of tank by through bolts, or studs not entering interior of tank. Covers must be of a thickness sufficient to meet test requirements of § 78.277–10 and to compensate for the openings closed by attachments prescribed herein.

(1) It is also provided that each end may be closed by internal threading to accommodate an approved fitting. The internal threads as well as the threads on fittings for these openings shall be clean cut, even, without checks, and tapped to gauge. Taper threads are required and must be of a length not less than as specified for American Standard taper pipe threads. External threading of an approved type shall be permissible on the internal threaded ends.

(b) Joints between covers and ends and between cover and attachments must be of approved form and made tight against vapor or liquid leakage by means of a confined gasket of suitable material.

§ 78.277–7 *Tank mounting.* (a) The manner in which tanks are supported on and securely attached to car structure must be approved.

§ 78.277–8 *Protective housing.* (a) Safety devices, and loading and unloading valves on tanks must be protected from accidental injury by approved metal housing, arranged so it may be readily opened to permit inspection and adjustment of safety devices and valves, and securely locked in closed position. Housing must be provided with opening having an opening equal to twice the total discharge area of safety device enclosed.

§ 78.277–9 *Loading and unloading valves.* (a) Loading and unloading valve or valves must be mounted on the cover or threaded into the marked end of tank. These valves must be of approved type, made of metal not subject to rapid deterioration by lading or in service, and must withstand without leakage a pressure equal to the marked test pressure of tank. Provision must be made for closing service outlet of valves.

§ 78.277–10 *Safety devices.* (a) Tank must be equipped with one or more safety devices of approved type and discharge area, mounted on the cover or

threaded into the non-marked end of the tank. If fittings are mounted on a cover, they must be of the flanged type, made of metal not subject to rapid deterioration by lading or in service. Total discharge capacity must be such that, with tank filled with air at pressure equal to 70 percent of the marked test pressure of tank, discharge capacity will be sufficient to reduce air pressure to 30 percent of the marked test pressure within 3 minutes after safety device opens.

(b) Safety devices must open at pressure not exceeding the marked test pressure of tank and not less than 7/10 of marked test pressure. (For tolerance for safety relief valves, see paragraph (a) in § 78.277–14.)

(c) Cars used for the transportation of flammable gases must have the safety devices equipped with an approved ignition device.

§ 78.277–11 *Fixtures.* (a) Attachments, other than those mounted on tank covers or serving as threaded closures for the ends of the tank, are prohibited.

§ 78.277–12 *Tests of tanks.* (a) After heat-treatment, tanks must be subjected to hydrostatic tests in a water jacket, or by other accurate method, operated so as to obtain reliable data. No tank shall have been subjected previously to internal pressure greater than 90 percent of the marked test pressure. Each tank must be tested to a pressure at least equal to the marked test pressure of the tank. Pressure must be maintained for 30 seconds, and sufficiently longer to insure complete expansion of tank. Pressure gauge must permit reading to accuracy of one percent. Expansion gauge must permit reading of total expansion to accuracy of one percent. Expansion must be recorded in cubic centimeters.

(b) Permanent volumetric expansion must not exceed 10 percent of the total volumetric expansion at test pressure.

§ 78.277–13 *Handling of tanks failing in tests.* (a) Tanks rejected for failure in any of the tests prescribed may be reheat-treated, and will be acceptable if subsequent to reheat-treatment they are subjected to and pass all of the tests.

§ 78.277–14 *Tests of safety devices.* (a) Safety relief valves must be tested by air or gas before being put into service. Valve must open at pressure not exceeding the marked test pressure of tank and must be vapor-tight at 80 percent of the marked test pressure. These limiting pressures must not be affected by any auxiliary closure or other combination.

(b) For safety devices of frangible disc type, samples of discs used must burst at a pressure not exceeding the marked test pressure of tank and not less than 7/10 of marked test pressure.

§ 78.277–15 *Alterations and maintenance of tanks.* (a) All prescribed markings on tanks must be kept legible. Markings must not be added to or changed, except as follows:

(1) By application of additional marks not affecting the marked test pressure or water capacity; these marks must not obliterate prescribed marks previously applied.

(2) By application of test pressure marks, or alteration of such marks, to indicate reduced marked test pressure; authorized only for tanks that have not failed in 5-year test.

(3) By change of serial numbers or ownership marks, or both, in which case report, in sufficient detail so that previous serial number and ownership mark can be determined for each tank, and arranged by lot numbers or by consecutive serial numbers, must be filed with the Bureau of Explosives.

§ 78.277–16 *Marking.* (a) Each tank must be plainly and permanently marked, thus certifying that tank complies with all requirements of this specification. These marks must be stamped into metal of necked-down section of tank at marked end, in letters and figures at least ¼ inch high, as follows:

(1) ICC–107A * * * the * * * to be replaced by figures indicating marked test pressure of the tank. This pressure must not exceed the calculated maximum marked test pressure permitted, as determined by the formula in paragraph (b) in § 78.277–2.

(2) Serial number immediately below the stamped mark specified in subparagraph (1) of this paragraph.

(3) Inspector's official mark immediately below the stamped mark specified in subparagraph (2) of this paragraph.

(4) Name, mark (other than a trademark) or initials of company or person for whose use tank is being made, which must be recorded with the Bureau of Explosives.

(5) Date (such as 1–54, for January 1954) of tank test, so placed that dates of subsequent tests may easily be added thereto.

(6) Date (such as 1–54, for January 1954) of latest test of safety relief valve or of frangible disc, required only when tank is used for transportation of flammable gases.

(7) Name of gas for which tank car is being used, stenciled in letters at least 2 inches high on each side of car where they are clearly visible.

(8) For all other markings see figure 1 in appendix C.

§ 78.277–17 *Inspection and reports.* (a) Before a tank car is placed in service, the party assembling the completed car must furnish to car owner, Bureau of Explosives, and the Secretary Mechanical Division, Association of American Railroads, a report in proper form certifying that tanks and their equipment comply with all the requirements of this specification and including information as to serial numbers, dates of tests, and ownership marks on tanks mounted on car structure. In case of alterations or additions to tanks or equipment from original design and construction, there must be furnished to the same parties a report in detail of the alterations or additions made to each tank covered by a particular application, showing the serial number of each tank involved.

(b) Purchaser of tanks must provide for inspection by a competent inspector as follows:

(1) Inspector must carefully inspect all material and reject that not complying with § 78.277–3.

(2) Inspector must stamp his official mark on each forging or seamless tube accepted by him for use in making tanks, and must verify proper application of heat number to such material by occasional inspections at steel manufacturer's plant.

(3) Inspector must obtain certified chemical analysis of each heat of material.

(4) Inspector must make inspection of inside surface of tanks before necking down, to insure that no seams, cracks, laminations, or other defects exist.

(5) Inspector must fully verify compliance with specification; verify heat treatment of tank as proper; obtain samples for all tests and check chemical analyses; witness all tests; and report minimum thickness of tank wall, maximum inside diameter, and calculated value of D, for each end of each tank as prescribed in paragraph (c) in § 78.277–2.

(6) Inspector must stamp his official mark on each accepted tank immediately below serial number, and make certified report (see paragraph (c) of this section) to builder, to company or person for whose use tanks are being made, to builder of car structure on which tanks are to be mounted, to the Bureau of Explosives, and to the Secretary Mechanical Division, Association of American Railroads.

(c) Inspector's report required herein must be in the following form:

(Place) _____
(Date) _____

STEEL TANKS

It is hereby certified that drawings were submitted for these tanks under A. A. R. Application for Approval No. _____ and approved by the A. A. R. Committee on Tank Cars under date of _____.

Built for _____ Company.
Location at _____
Built by _____ Company.
Location at _____
Consigned to _____
Location at _____
Quantity _____
Length (inches) _____
Outside diameter (inches) _____

Marks stamped into tank as required in § 78.277–16 are:

ICC–107A * * *

NOTE: The marked test pressure substituted for the * * * on each tank is shown on Record of General Data on Tanks attached hereto.

Serial numbers _____ to _____ inclusive.
Inspector's mark _____
Owner's mark _____
Test date _____
Water capacity (see Record of Hydrostatic Tests).

Tare weights (yes or no) (see Record of Hydrostatic Tests). These tanks were made by process of _____

Steel used was identified as indicated by the attached list showing the serial number of each tank, followed by the heat number.

Steel used was verified as to chemical analysis and record thereof is attached hereto. Heat numbers were stamped into metal.

All material was inspected and each tank was inspected both before and after closing in ends; all material accepted was found free from seams, cracks, laminations, and other defects which might prove injurious to strength of tank. Processes of manufacture and heat-treatment of tanks were witnessed and found to be efficient and satisfactory.

Before necking down ends, each tank was measured at each location prescribed in paragraph (c) in § 78.277–2 and minimum wall thickness in inches at each location was recorded; maximum inside diameter in inches at each location was recorded; value of D in inches at each location was calculated and recorded; maximum fiber stress in wall at location showing larger value for

$$\frac{D^2+d^2}{D^2-d^2}$$

was calculated for 7/10 the marked test pressure and recorded. Calculations were made by the formula:

$$S=0.7P\frac{(D^2+d^2)}{(D^2-d^2)}$$

Hydrostatic tests, tensile tests of material, and other tests as prescribed in this specification, were made in the presence of the inspector, and all material and tanks accepted were found to be in compliance with the requirements of this specification. Records thereof are attached hereto.

I hereby certify that all of these tanks proved satisfactory in every way and comply with the requirements of Interstate Commerce Commission Specification No. 107A****

(Signed) _____
(Inspector)
(Place) _____
(Date) _____

RECORD OF CHEMICAL ANALYSIS OF STEEL FOR TANKS

Numbered _____ to _____ inclusive.
Size _____ inches outside diameter by _____ inches long.
Built by _____ Company.
For _____ Company.

Heat No.	Tanks represented (Serial Nos.)	Chemical analysis							
		C	Mn	P	S	Si	Ni	Cr	Mo

These analyses were made by:
(Signed) _____
(Place) _____
(Date) _____

RECORD OF TENSILE TESTS OF MATERIAL IN TANKS

Numbered _____ to _____ inclusive.
Size _____ inches outside diameter by _____ inches long.
Built by _____ Company.
For _____ Company.

Heat No.	Tanks represented by test (serial Nos.)	Elastic limit (pounds per square inch)	Tensile strength (pounds per square inch)	Elongation (percent in 2 inches)	Reduction of area (percent)

(Signed) _____

(Place) _____
(Date) _____

RECORD OF HYDROSTATIC TESTS ON TANKS

Numbered _____ to _____ inclusive.
Size _____ inches outside diameter by _____ inches long.
Built by _____ Company.
For _____ Company.

Serial Nos. of tanks	Actual test pressure (pounds per square inch)	Total expansion (cubic centimeters)[1]	Permanent expansion (cubic centimeters)[1]	Percent ratio of permanent expansion to total expansion [1]	Tare weight (pounds)[2]	Capacity in pounds of water at 60° F.

(Signed) _____

[1] If tests are made by method involving measurement of amount of liquid forced into tank by test pressure, then the basic data on which calculations are made, such as pump factors, temperature of liquid, coefficient of compressibility of liquid, etc., must also be given.
[2] Do not include protective housing, but state whether with or without valves.

(Place) _____
(Date) _____

RECORD OF GENERAL DATA ON TANKS

Numbered _____ to _____ inclusive.
Built by _____ Company
For _____ Company

Serial No. of tank	Data obtained as prescribed in paragraph (c) in §78.277–2						Larger value of the factor $\frac{D^2+d^2}{D^2-d^2}$	(S) Calculated fiber stress in pounds per square inch at 7/10 marked test pressure	Marked test pressure in pounds per square inch stamped in tank	Minimum tensile strength of material in pounds per square inch recorded
	Marked end of tank			Other end of tank						
	(t) Minimum thickness of wall in inches	(d) Maximum inside diameter in inches	(D) Calculated value of D in inches= d+2t	(t) Minimum thickness of wall in inches	(d) Maximum inside diameter in inches	(D) Calculated value of D in inches= d+2t				

(Signed) _____

§ 78.277–18 *Application for approval.* (a) See § 78.259 (f)

§ 78.277–19 *Certificate of construction.* (a) See paragraph (c) in § 78.277–17 for forms of certificates to be filed covering tanks only.

(b) For form of certificate covering car complete with tanks mounted thereon, see § 78.259 (g)

§ 78.277–20 *Car structure.* (a) See § 78.263.

SUBPART J—SPECIFICATIONS FOR CONTAINERS FOR MOTOR VEHICLE TRANSPORTATION

Amend the heading of § 78.323; amend § 78.323–11 paragraph (a) (18 F. R. 5278, Sept. 1, 1953) (49 CFR 1950 Rev., 1953 Supp., 78.323) to read as follows:

§ 78.323 *Specification MC 302, cargo tanks constructed of welded aluminum alloy (Grade 52S, or ASTM B178–53, or an alloy meeting Military Specification A–17357)* To be mounted on and to form part of tank motor vehicles for transportation of flammable liquids, and poisonous liquids, class B.

* * * * *

§ 78.323–11 *Material.* (a) All sheets for such cargo tanks shall be of aluminum alloy, known as 52S, or ASTM B178–53, or an alloy meeting Military Specification A–17357 and have the following minimum requirements:

Yield strength	26,000 lb. per sq. in.
Ultimate strength	34,000 lb. per sq. in.
Elongation, 2-inch sample.	12 percent.

NOTE: Yield strength is the stress which produces a permanent set of 0.2 percent of the initial gauge length (ASTM E8–36).

It is further ordered, That the foregoing amendments to the aforesaid regulations shall have full force and effect on May 3, 1955, and that such regulations as herein amended shall thereafter be observed until further order of the Commission.

It is further ordered, That compliance with the aforesaid regulations as herein amended is hereby authorized on and after the date of service of this order.

And it is further ordered, That copies of this order be served upon all parties of record herein, and that notice shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of Federal Register.

(Sec. 204, 49 Stat. 546, as amended, sec. 835, 62 Stat. 739; 49 U. S. C. 304, 18 U. S. C. 835)

By the Commission, Division 3.

[SEAL] GEORGE W LAIRD,
Secretary.

[F. R. Doc. 55–1267; Filed, Feb. 14, 1955; 8:45 a. m.]

TITLE 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

PART 141b—STREPTOMYCIN (OR DIHYDROSTREPTOMYCIN) AND STREPTOMYCIN- (OR DIHYDROSTREPTOMYCIN-) CONTAINING DRUGS

MISCELLANEOUS AMENDMENTS

Correction

In F R. Doc. 55–1229, appearing at page 881 of the issue for Friday February 11, 1955, the following change should be made in § 141b.129 (a) (4) (i)

The word "prepare" should be inserted preceding the words "the sample as directed in subparagraph (1) (i) of this paragraph"

PROPOSED RULE MAKING

DEPARTMENT OF THE TREASURY

Internal Revenue Service

[26 CFR (1954) Part 1]

INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1953

GAINS AND LOSSES FROM SHORT SALES

Notice is hereby given, pursuant to the Administrative Procedure Act, approved June 11, 1946, that the regulations set forth in tentative form below are proposed to be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury. Prior to the final adoption of such regulations, consideration will be given to any data, views, or arguments pertaining thereto which are submitted in writing, in duplicate, to the Commissioner of Internal Revenue, Washington 25, D. C., within the period of 30 days from the date of publication of this notice in the FEDERAL REGISTER. The proposed regulations are to be issued under the authority contained in section 7805 of the Internal Revenue Code of 1954 (P L. 591, 83d Congress, approved August 16, 1954, 26 U. S. C. 7805)

[SEAL] O. GORDON DELK,
Acting Commissioner of Internal Revenue.

The following regulations are hereby prescribed under section 1233 of the Internal Revenue Code of 1954, Public Law 591 (83d Congress) approved August 16, 1954, relating to gains and losses from short sales:

§ 1.1233 *Statutory provisions; gains and losses from short sales.*

SEC. 1233. *Gains and losses from short sales*—(a) *Capital assets.* For purposes of this subtitle, gain or loss from the short sale of property, other than a hedging transaction in commodity futures, shall be considered as gain or loss from the sale or exchange of a capital asset to the extent that the property, including a commodity future, used to close the short sale constitutes a capital asset in the hands of the taxpayer.

(b) *Short-term gains and holding periods.* If gain or loss from a short sale is considered as gain or loss from the sale or exchange of a capital asset under subsection (a) and if on the date of such short sale substantially identical property has been held by the taxpayer for not more than 6 months (determined without regard to the effect, under paragraph (2) of this subsection, of such short sale on the holding period) or if substantially identical property is acquired by the taxpayer after such short sale and on or before the date of the closing thereof—

(1) Any gain on the closing of such short sale shall be considered as a gain on the sale or exchange of a capital asset held for not more than 6 months (notwithstanding the period of time any property used to close such short sale has been held) and

(2) The holding period of such substantially identical property shall be considered to begin (notwithstanding section 1223, relating to the holding period of property) on the date of the closing of the short sale, or on the date of a sale, gift, or other disposition of such property, whichever date occurs first. This paragraph shall apply to such substantially identical property in the order of the dates of the acquisition of such property, but only to so much of such property as does not exceed the quantity sold short.

For purposes of this subsection, the acquisition of an option to sell property at a fixed price shall be considered as a short sale, and the exercise or failure to exercise such option shall be considered as a closing of such short sale.

(c) *Certain options to sell.* Subsection (b) shall not include an option to sell property at a fixed price acquired on the same day on which the property identified as intended to be used in exercising such option is acquired and which, if exercised, is exercised through the sale of the property so identified. If the option is not exercised, the cost of the option shall be added to the basis of the property with which the option is identified. This subsection shall apply only to options acquired after the date of enactment of this title.

(d) *Long-term losses.* If on the date of such short sale substantially identical property has been held by the taxpayer for more than 6 months, any loss on the closing of such short sale shall be considered as a loss on the sale or exchange of a capital asset held for more than 6 months (notwithstanding the period of time any property used to close such short sale has been held, and notwithstanding section 1234).

(e) *Rules for application of section.* (1) Subsection (b) (1) or (d) shall not apply to the gain or loss, respectively, on any quantity of property used to close such short sale which is in excess of the quantity of the substantially identical property referred to in the applicable subsection.

(2) For purposes of subsections (b) and (d)—

(A) The term "property" includes only stocks and securities (including stocks and securities dealt with on a "when issued" basis) and commodity futures, which are capital assets in the hands of the taxpayer;

(B) In the case of futures transactions in any commodity on or subject to the rules of a board of trade or commodity exchange, a commodity future requiring delivery in 1 calendar month shall not be considered as property substantially identical to another commodity future requiring delivery in a different calendar month; and

(C) In the case of a short sale of property by an individual, the term "taxpayer" in the application of this subsection and subsections (b) and (d), shall be read as "taxpayer or his spouse" but an individual who is legally separated from the taxpayer under a decree of divorce or of separate maintenance shall not be considered as the spouse of the taxpayer.

(3) Where the taxpayer enters into 2 commodity futures transactions on the same day, one requiring delivery by him in one market and the other requiring delivery to him of the same (or substantially identical) commodity in the same calendar month in a different market, and the taxpayer subsequently closes both such transactions on the same day, subsections (b) and (d) shall have no application to so much of the commodity involved in either such transaction as does not exceed in quantity the commodity involved in the other.

§ 1.1233–1 *Gains and losses from short sales*—(a) *General.* For income tax purposes a short sale is not deemed to be consummated until delivery of property to close the short sale, and whether the recognized gain or loss from a short sale is gain or loss from the sale or exchange of a capital asset depends upon whether the property so delivered constitutes a capital asset in the hands of the taxpayer. Generally the period for which the taxpayer held the property so delivered also determines, in the case of a capital gain or loss, whether long-term or short-term capital gain or loss results. Thus, if a dealer in securities makes a short sale of X corporation's stock and closes the short sale by delivery of identical stock, an ordinary gain or loss results if he held the stock so delivered primarily for sale to customers in the ordinary course of his trade or business. If the stock so delivered was a capital asset in his hands, a capital gain or loss would result. Such capital gain or loss ordinarily would be considered long-term if the stock so delivered was held by the taxpayer for more than six months or short-term if held by him for not more than six months. If the short sale is made through a broker and the broker borrows property to make delivery the short sale is not deemed to be consummated until the obligation of the seller created by the short sale is finally discharged by delivery of property to the broker to replace the property borrowed by the broker.

(b) *Hedging transactions.* Gain or loss from a bona fide hedging transaction in commodity futures entered into by flour millers, producers of cloth, operators of grain elevators, etc., for the purpose of their business shall not be considered gain or loss from the sale or exchange of a capital asset. Gain or loss from a short sale of commodity futures which does not qualify as a hedging transaction shall be considered gain or loss from the sale or exchange of a capital asset if the commodity future used to close the short sale constitutes a capital asset in the hands of the taxpayer as explained in paragraph (a) of this section.

(c) *Special short sales*—(1) *General.* Section 1233 provides rules as to the tax consequences of a short sale of property if gain or loss from the short sale is considered as gain or loss from the sale or exchange of a capital asset under section 1233 (a) and paragraph (a) of this section and if, at the time of the short sale or on or before the date of the closing of the short sale, the taxpayer holds property substantially

identical to that sold short. The term "property" is defined for purposes of such rules to include only stocks and securities (including stocks and securities dealt with on a "when issued" basis) and commodity futures, which are capital assets in the hands of the taxpayer. Certain restrictions on the application of the section to commodity futures are provided in section 1233 (e) and paragraph (d) (2) of this section.

(2) *Treatment of special short sales.* The first two rules, which are set forth in section 1233 (b) are applicable whenever property substantially identical to that sold short has been held by the taxpayer on the date of the short sale for not more than 6 months (determined without regard to Rule (2) below relating to the holding period) or is acquired by him after the short sale and on or before the date of the closing thereof. These rules are:

Rule (1). Any gain upon the closing of such short sale shall be considered as a gain upon the sale or exchange of a capital asset held for not more than 6 months (notwithstanding the period of time any property used to close such short sale has been held) and

Rule (2). The holding period of such substantially identical property shall be considered to begin (notwithstanding the provisions of section 1223) on the date of the closing of such short sale or on the date of a sale, gift, or other disposition of such property, whichever date occurs first.

(3) *Options to sell.* For the purpose of rule (1) and rule (2) in subparagraph (2) of this paragraph, the acquisition of an option to sell property at a fixed price shall be considered a short sale, and the exercise or failure to exercise such option shall be considered as a closing of such short sale, except that any option to sell property at a fixed price acquired on or after August 17, 1954 (the day after enactment of the Internal Revenue Code of 1954) shall not be considered a short sale and the exercise or failure to exercise such option shall not be considered as the closing of a short sale provided that either the option may be exercised only by the sale of specifically identified property acquired on the date that such option was acquired or the taxpayer is able to produce a written instrument executed on the day that such option was acquired evidencing his intent to exercise such option by the sale of property acquired on such day and specifically identified in such instrument. This exception shall not apply if the option is exercised, unless it is exercised by the sale of the property so identified. In the case of any option not exercised which falls within this exception, the cost of such option shall be added to the basis of the property with which such option is identified.

(4) *Treatment of losses.* The third rule, which is set forth in section 1233 (d) is applicable whenever property substantially identical to that sold short has been held by the taxpayer on the date of the short sale for more than 6 months. This rule is:

Rule (3) Any loss upon the closing of such short sale shall be considered as a loss upon the sale or exchange of a capital asset held for more than 6 months, notwithstanding the period of time any propery used to close such short sale has been held. For the purpose of rule (3) the acquisition of an option to sell property at a fixed price is not considered a short sale, and the exercise or failure to exercise such option is not considered as a closing of a short sale.

(5) *Application of rules.* Rules (1) and (3) do not apply to the gain or loss attributable to so much of the property sold short as exceeds in quantity the substantially identical property referred to in sections 1233 (b) and 1233 (d) respectively. Rule (2) applies to the substantially identical property referred to in section 1233 (b) in the order of the dates of the acquisition of such property but only to so much of such property as does not exceed the quantity sold short. If property substantially identical to that sold short has been held by the taxpayer on the date of the short sale for not more than 6 months, or is acquired by him after the short sale and on or before the date of the closing thereof, and if property substantially identical to that sold short has been held by the taxpayer on the date of the short sale for more than 6 months, all three rules are applicable.

(6) *Examples.* The following examples illustrate the application of these rules to short sales of stock in the case of a taxpayer who makes his return on the basis of the calendar year.

Example (1). A buys 100 shares of X stock at $10 per share on February 1, 1955, sells short 100 shares of X stock at $16 per share on July 1, 1955, and closes the short sale on August 2, 1955, by delivering the 100 shares of X stock purchased on February 1, 1955, to the lender of the stock used to effect the short sale. Since 100 shares of X stock had been held by A on the date of the short sale for not more than 6 months, the gain of $600 realized upon the closing of the short sale is, by application of rule (1), a short-term capital gain.

Example (2). A buys 100 shares of X stock at $10 per share on February 1, 1955, sells short 100 shares of X stock at $16 per share on July 1, 1955, closes the short sale on August 1, 1955, with 100 shares of X stock purchased on that date at $18 per share, and on August 2, 1955, sells at $18 per share the 100 shares of X stock purchased on February 1, 1955. The $200 loss sustained upon the closing of the short sale is a short-term capital loss to which section 1233 has no application. By application of rule (2), however, the holding period of the 100 shares of X stock purchased on February 1, 1955, and sold on August 2, 1955, is considered to begin on August 1, 1955, the date of the closing of the short sale. The $800 gain realized upon the sale of such stock is, therefore, a short-term capital gain.

Example (3) A buys 100 shares of X stock at $10 per share on February 1, 1955, sells short 100 shares of X stock at $16 per share on September 1, 1955, sells on October 1, 1955, at $18 per share the 100 shares of X stock purchased on February 1, 1955, and closes the short sale on October 1, 1955, with 100 shares of X stock purchased on that date at $18 per share. The $800 gain realized upon the sale of the 100 shares of X stock purchased on February 1, 1955, is a long-term capital gain to which section 1233 has no application. Since A had held 100 shares of X stock on the date of the short sale for more than 6 months, the $200 loss sustained upon the closing of the short sale is, by application of rule (3) a long-term capital loss.

Example (4) A sells short 100 shares of X stock at $16 per share on February 1, 1955. He buys 250 shares of X stock on March 1, 1955, at $10 per share and holds the latter stock until September 2, 1955 (more than 6 months), at which time, 100 shares of the 250 shares of X stock are delivered to close the short sale made on February 1, 1955. Since substantially identical property was acquired by A after the short sale and before it was closed, the $600 gain realized on the closing of the short sale is, by application of rule (1), a short-term capital gain. The holding period of the remaining 150 shares of X stock is not affected by section 1233 since this amount of the substantially identical property exceeds the quantity of the property sold short.

Example (5). A buys 100 shares of X stock at $10 per share on February 1, 1955, buys an additional 100 shares of X stock at $20 per share on July 1, 1955, sells short 100 shares of X stock at $30 per share on September 1, 1955, and closes the short sale on February 1, 1956, by delivering the 100 shares of X stock purchased on February 1, 1955, to the lender of the stock used to effect the short sale. Since 100 shares of X stock had been held by A on the date of the short sale for not more than 6 months, the gain of $2,000 realized upon the closing of the short sale is, by application of rule (1), a short-term capital gain and the holding period of the 100 shares of X stock purchased on July 1, 1955, is considered, by application of rule (2) to begin on February 1, 1956, the date of the closing of the short sale. If, however, the 100 shares of X stock purchased on July 1, 1955, had been used by A to close the short sale, then, since 100 shares of X stock had been held by A on the date of the short sale for not more than 6 months, the gain of $1,000 realized upon the closing of the short sale would be, by application of rule (1) a short-term capital gain, but the holding period of the 100 shares of X stock purchased on February 1, 1955, would not be affected by section 1233. If, on the other hand, A purchased an additional 100 shares of X stock at $40 per share on February 1, 1956, and used such shares to close the short sale at that time, then, since 100 shares of X stock had been held by A on the date of the short sale for more than 6 months, the loss of $1,000 sustained upon the closing of the short sale would be, by application of rule (3) a long-term capital loss, and since 100 shares of X stock had been held by A on the date of the short sale for not more than 6 months, the holding period of the 100 shares of X stock purchased on July 1, 1955, would be considered, by application of rule (2) to begin on February 1, 1956, but the holding period of the 100 shares of X stock purchased on February 1, 1955, would not be affected by section 1233.

Example (6). A buys 100 shares of X preferred stock at $10 per share on February 1, 1955. On July 1, 1955, he enters into a contract to sell 100 shares of XY common stock at $16 per share when, as, and if issued pursuant to a particular proposed plan of reorganization. On August 2, 1955, he receives 100 shares of XY common stock in exchange for the 100 shares of X preferred stock purchased on February 1, 1955, and delivers such common shares in performance of his July 1, 1955, contract. Assume that the exchange of the X preferred stock for the XY common stock is a tax-free exchange pursuant to section 354 (a) (1), and that on the basis of all of the facts and circumstances existing on July 1, 1955, the "when issued" XY common stock is substantially identical to the X preferred stock. Since 100 shares of substantially identical property had been held by A for not more than 6 months on the date of entering into the July 1, 1955, contract of sale, the gain of $600 realized upon the closing of the contract of sale is, by application of rule (1) a short-term capital gain.

(d) *Other rules for the application of section 1233*—(1) *Substantially identical property.* The term "substantially identical property" is to be applied according to the facts and circumstances in each case. In general, as applied to stocks or securities, the term has the same meaning as the term "substantially identical stock or securities" used in section 1091 relating to wash sales of stock or securities. For certain restrictions on the term as applied to commodity futures see subparagraph (2) of this paragraph. Ordinarily, stocks or securities of one corporation are not considered substantially identical to stocks or securities of another corporation. In certain situations they may be substantially identical; for example, in the case of a reorganization the facts and circumstances may be such that the stocks and securities of predecessor and successor corporations are substantially identical property. Similarly bonds or preferred stock of a corporation are not ordinarily considered substantially identical to the common stock of the same corporation. However, in certain situations, as, for example, where the preferred stock or bonds are convertible into common stock of the same corporation, the relative values, price changes, and other circumstances may be such as to make such bonds or preferred stock and the common stock substantially identical property Similarly depending on the facts and circumstances, the term may apply to the stocks and securities to be received in a corporate reorganization or recapitalization, traded in on a when issued basis, as compared with the stocks or securities to be exchanged in such reorganization or recapitalization.

(2) *Commodity futures.* (i) As provided in section 1233 (e) (2) (B) in the case of futures transactions in any commodity on or subject to the rules of a board of trade or commodity exchange, a commodity future requiring delivery in one calendar month shall not be considered as property substantially identical to another commodity future requiring delivery in a different calendar month. For example, commodity futures in May wheat and July wheat are not considered, for the purpose of section 1233, substantially identical property. Similarly, futures in different commodities which are not generally through custom of the trade used as hedges for each other (such as corn and wheat, for example) are not considered substantially identical property If commodity futures are otherwise substantially identical property, the mere fact that they were procured through different brokers will not remove them from the scope of the term "substantialy identical property" Commodity futures procured on different markets may come within the term "substantially identical property" depending upon the facts and circumstances in the case, with the historical similarity in the price movements in the two markets as the primary factor to be considered.

(ii) Section 1233 (e) (3) relating to so-called "arbitrage" transactions in commodity futures, provides that where a taxpayer enters into two commodity futures transactions on the same day one requiring delivery by him in one market and the other requiring delivery to him of the same (or substantially identical) commodity in the same calendar month in a different market, and the taxpayer subsequently closes both such transactions on the same day section 1233 shall have no application to so much of the commodity involved in either such transaction as does not exceed in quantity the commodity involved in the other.

(iii) The following example indicates the application of section 1233 to a commodity futures transaction:

Example. A who makes his return on the basis of the calendar year, on February 1, 1955, enters into a contract through broker X to purchase 10,000 bushels of December wheat on the Chicago market at $2 per bushel. On July 1, 1955, he enters into a contract through broker Y to sell 10,000 bushels of December wheat on the Chicago market at $2.25 per bushel. On August 2, 1955, he closes both transactions at $2.50 per bushel. The $2,500 loss sustained on the closing of the short sale is a short-term capital loss to which section 1233 has no application. By application of rule (2) in paragraph (c) of this section, however, the holding period of the futures contract entered into on February 1, 1955, is considered to begin on August 2, 1955, the date of the closing of the short sale. The $5,000 gain realized upon the closing of such contract is, therefore, a short-term capital gain.

(3) *Husband and wife.* Section 1233 (e) (2) (C) provides that, in the case of a short sale of property by an individual, the term "taxpayer" in the application of subsections (b) (d) and (e) shall be read as "taxpayer or his spouse" Thus, if the spouse of a taxpayer holds or acquires property substantially identical to that sold short by the taxpayer, and other conditions of subsections (b) (d) and (e) are met, then the rules set forth therein are applicable to the same extent as if the taxpayer held or acquired the substantially identical property For this purpose, an individual who is legally separated from the taxpayer under a decree of divorce or of separate maintenance shall not be considered as the spouse of the taxpayer.

[F R. Doc. 55-1283; Filed, Feb. 14, 1955; 8:46 a. m.]

DEPARTMENT OF AGRICULTURE

Commodity Stabilization Service

[7 CFR Part 814]

1955 SUGAR QUOTA FOR MAINLAND CANE SUGAR AREA

NOTICE OF HEARING ON PROPOSED ALLOTMENT

Pursuant to the authority contained in the Sugar Act of 1948, as amended (61 Stat. 922, as amended by 65 Stat. 318; 7 U. S. C. 1100) and in accordance with the applicable rules of practice and procedure (7 CFR Part 801, et seq.) the Secretary of Agriculture has, after due notice (19 F R. 7355) and hearing, found that allotment of the 1955 sugar quota for the Mainland Cane Sugar Area is necessary to prevent disorderly marketing and to afford all interested persons an equitable opportunity to market sugar and has established allotments of such quota equal to 80 percent of the 1954 allotments to be in effect until allotments of the 1955 sugar quota for the Mainland Cane Sugar Area are prescribed (19 F R. 9324)

Notice is hereby given that a public hearing will be held at New Orleans, Louisiana, in the Claiborne Room, St. Charles Hotel on February 25, 1955, beginning at 10:00 a. m., c. s. t., for the purpose of receiving evidence to enable the Secretary of Agriculture to make a fair, efficient and equitable distribution of the above-mentioned quota for the calendar year 1955 among persons who market sugar processed from sugarcane produced in the Mainland Cane Sugar Area. It will be appropriate at the hearing to present evidence on the basis of which the Secretary may affirm, modify or change the finding which has been made with respect to necessity for allotment, and make or withhold allotment of any such quota in accordance therewith.

In addition, the subjects and issues of this hearing also include (1) the manner in which the statutory factors of "processings from proportionate shares," "past marketings," and "ability to market," as provided in section 205 (a) of the said act, should be measured, and (2) the relative weightings which should be given to these factors.

Notice also is given hereby that in the event section 3 of Sugar Regulation 801 (7 CFR 801.3) is revised on or before February 25, 1955, in accordance with the notice of rule making published on February 10, 1955 (20 F R. 867) it will be appropriate at the hearing to present evidence on the basis of which the Secretary may revise or amend the allotment of the quota or proration thereof for the purposes of (1) allotting any additional quota resulting from proration of area deficits, or allotting any deficit in the allotment for any allottee, and (2) substituting final actual data for estimates of such data wherever estimates are used in the formulation of an allotment of a quota.

Issued this 10th day of February 1955.

[SEAL] TRUE D. MORSE,
Acting Secretary of Agriculture.

[F R. Doc. 55-1292; Filed, Feb. 14, 1955; 8:48 a. m.]

NOTICES

DEPARTMENT OF DEFENSE

Department of the Army

STATEMENT OF ORGANIZATION AND FUNCTIONS

DESCRIPTION OF CENTRAL AND FIELD AGENCIES

Paragraph (f) of section 1 of the statement of organization and functions of the Department of the Army, appearing at 15 F R. 6643, October 3, 1950, and amended at 18 F R. 4476, July 30, 1953, is revised to read as follows:

SECTION 1. *Description of central and field agencies.* * * *

(f) *Continental Army Command*—(1) *General.* The Commanding General, Continental Army Command, commands the six armies within the continental United States, the Military District of Washington, and such other units, activities, and installations as may be assigned to the Continental Army Command by the Department of the Army. He is charged with the general direction, supervision, coordination, and inspection, as described below, of those matters pertaining to the development of tactics, techniques, organization, doctrine, and materiel for use by the Army in the field and with the training and training inspection of the Army in the field within the continental United States.

(2) *Responsibilities.* (i) The Commanding General, Continental Army Command is responsible to the Chief of Staff for the following primary functions:

(*a*) Determining requirements for and recommending military characteristics of new Army weapons, equipment, and materiel for units normally a part of the field Army; reviewing requirements and military characteristics for equipment and materiel not normally a part of the field Army but which may be used by the Army in the field.

(*b*) Preparing and approving tables of organization and equipment for the Army in the field except those specifically requested for review by the Department of the Army

(*c*) Reviewing, developing, and recommending to the Department of the Army new and revised doctrine (including logistical and joint doctrine) reviewing and developing tactics and techniques for use by the Army in the field.

(*d*) Testing of doctrine, techniques, and organization for the Army in the field; testing weapons, equipment, and materiel used by units normally a part of the field Army; and participating in tests of materiel used in common with other Army agencies, the United Kingdom, and Canada.

(*e*) Informing Army personnel of joint boards of Army requirements for the development of doctrine; the evaluation of tactics and techniques; and the evaluation of adequacy of organization, equipment, and training for participation in joint amphibious, airborne, air defense, and tactical air support operations.

(*f*) Establishing such boards and agencies as are necessary to insure the continued development and testing of new doctrine, tactics, techniques, and materiel.

(*g*) Preparation of instructional materiel.

(*1*) Preparing training literature and training aids (films, graphics, and devices)

(*2*) Exercising approving authority over all training aids and all training literature pertaining to the training of the Army in the field.

(*3*) Supervising the Army Extension Course Program.

(*h*) Teaching of tactical, administrative, intelligence, and logistical doctrines and techniques.

(*1*) Directing and controlling the curricula and instruction of tactical doctrine and related techniques in all types of schools in the Army School system, except the following:

(*i*) Strategic Intelligence School.

(*ii*) Army Security Agency School.

(*iii*) Counter Intelligence Corps School.

(*iv*) Army Civilian Training Center.

(*v*) Oversea schools.

(*vi*) United States Armed Forces Institute.

(*vii*) United States Military Academy.

(*viii*) United States Military Academy Preparatory School.

(*ix*) Those medical schools and courses of instruction whose curricula are of nonmilitary nature; also those courses of instruction of other services whose curricula are of a nonmilitary nature.

(*2*) Supervising participation by the Army in instruction in schools and centers of the Navy and the Air Force.

(*3*) Directing and controlling the selection of courses and Army participation in training given in trade schools and industry when the facilities of such agencies are required to train individuals of the Army in the field in specific MOS code numbers. This does not include the responsibility for selection of courses and personnel concerned with the Industrial Mobilization Training Program.

(*i*) Training within the continental United States including the Army Antiaircraft Command, in all aspects, to meet Department of the Army training objectives, including the combat, service, and technical training of the Army in the field on active duty.

(*1*) Supervising the training of individuals and units of the Army Reserve not on active duty.

(*2*) Establishing training criteria for, and inspecting and supervising the training of the Army National Guard, to include coordination and approval of plans for field training.

(*3*) Exercising direction, supervision, coordination, and inspection of all matters pertaining to the organization and training of all units and individuals of the ROTC.

(*4*) Planning, supervising, and establishing training criteria in preparation for Army exercises and maneuvers and coordinating Army participation in joint exercises and maneuvers.

(*5*) Preparing, coordinating, and supervising Army mobilization training plans, and initiating, coordinating, and supervising the development of mobilization plans and demobilization plans of subordinate commands to insure conformity with basic mobilization plans and policies of the Department of the Army

(*j*) In consonance with plans promulgated by higher authority preparing plans for and, on order or in imminent emergency, executing planned operations for the ground defense of the continental United States and, in this connection, planning and maintaining liaison with appropriated Canadian and/or Mexican defense agencies.

(*k*) Preparing plans for and, either in the event of imminent necessity or on order of the Department of the Army, assisting civil authorities in disaster relief and the control of domestic disturbances.

(*l*) Supervising the development and execution of the segments of Department of the Army programs which are applicable to the six continental armies and the Military District of Washington; reviewing and analyzing program execution by subordinate commands.

(*m*) Supervising the budgeting, funding (including suballocation of funds) and reports control activities of the Continental Army Command; exercising general supervision over the operation of prescribed financial, accounting and general management systems within the Continental Army Command.

(*n*) Exercising general supervision over manpower control activities within the Continental Army Command, including recommending to Department of the Army allocation of personnel authorizations and enlisted personnel levies to subordinate commands.

(*o*) Logistical support (except at or for class II installations)

(*1*) Submitting recommendations to the Department of the Army or taking necessary action, as appropriate, to insure that continental army units and installations are furnished supplies, equipment, housing, hospitalization, and transportation for the performance of their mission and maintaining logistical efficiency within the Continental Army Command.

(*2*) Developing, preparing, and reviewing all tables of allowances pertaining to activities assigned to the Continental Army Command.

(*p*) Exercising such administrative control as may be required for the efficient accomplishment of assigned missions.

(*q*) Conducting public information activities involving his duties and missions.

(r) Assuring implementation of troop information and education activities in the continental United States.

(ii) So far as his responsibilities pertain to installations, activities, and units under the command jurisdiction of Department of the Army agencies, the Commanding General, Continental Army Command, issues instructions through the heads of the agencies concerned.

(3) *Use of the term "Army in the field."* As used herein, this term will be construed to include all types of military individuals and units of the Army Field Establishment utilized in, or intended for utilization in, a theater of operations.

* * * * *

[SEAL] JOHN A. KLEIN,
Major General, U S. Army,
The Adjutant General.

[F R. Doc. 55-1284; Filed, Feb. 14, 1955; 8:47 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

COLORADO

RESTORATION ORDER NO. 6 (AREA III) UNDER FEDERAL POWER ACT

FEBRUARY 8, 1955.

Pursuant to a determination of June 10, 1952 of the Federal Power Commission, Docket No. DA 324—Colorado and in accordance with Order No. 541, sections 1.5 (d) and 2.0 (a) of the Director of the Bureau of Land Management, approved April 21, 1954, it is ordered as follows:

Subject to valid existing rights and the provision of existing withdrawal, the following described lands, so far as they are withdrawn or reserved for power purposes by Power Site Reserve No. 124, are hereby opened to entry subject to the provisions of section 24 of the Federal Power Act of June 10, 1920 (41 Stat. 1075 16 U. S. C. 818) as amended; and subject to the stipulation that if and when the lands are required wholly or in part for purposes of power development, any structure, machinery, or improvements placed thereon which interfere with such development shall be removed or relocated as may be necessary to eliminate interference with the power development without expense to the United States or its permittees or licensees, and subject to the stipulation that there is reserved to the United States, its successors or assigns, the prior right to use any and all portions of the land.

6TH PRINCIPAL MERIDIAN, COLORADO

T. 1 N., R. 91 W.,
Sec. 35: Lot 7.

These lands are not suitable for crop production and will not be classified as suitable for disposal under the homestead or desert-land laws.

The lands described shall be subject to application by the State of Colorado for a period of ninety days from the date of publication of this order in the FEDERAL REGISTER, for rights-of-way for public highways, or as a source of material for the construction and maintenance of such highways, as provided by section 24 of the Federal Power Act, as amended.

This order shall not otherwise become effective to change the status of such land until 10:00 a. m. on the 91st day after the date of publication. At that time the above described land in DA 324, Colorado, shall become subject to application, petition, location, and selection, subject to valid existing rights, the provision of existing withdrawals, the requirements of applicable laws and the 90-day preference right filing period for veterans and others entitled to preference under the act of September 27, 1944 (58 Stat. 747; 43 U. S. C. 279-284) as amended. Information showing the periods during which, and the conditions under which veterans and others may file applications for these lands may be obtained on request from the Land Office Manager, 429 Post Office Building, Box 1018, Denver, Colorado.

MAX CAPLAN,
State Supervisor

[F. R. Doc. 55-1282; Filed, Feb. 14, 1955; 8:46 a. m.]

GENERAL SERVICES ADMINISTRATION

ACTIVITIES UNDER THE DEFENSE PRODUCTION ACT AS AMENDED

QUARTERLY REPORT OF PURCHASES UNDER DOMESTIC PURCHASE REGULATIONS AS OF DECEMBER 31, 1954

Pursuant to section 4, Public Law 206, 83d Congress, the tabulation below details the quarterly and cumulative purchases under Purchase Regulation noted.

Regulation	Termination date	Units	Quantity			
			Program limitation	Purchases during quarter	Cumulative purchases through end of quarter	
Asbestos	Oct. 1, 1957	Short tons, crude No. 1 and/or crude No. 2, asbestos.	1,500	100	717	
		Short tons, crude No. 3		13	333	
Beryl	June 30, 1957	Short dry tons, beryl ore	1,500	100	557	
Chrome	do	Long dry tons, chrome ore and/or chrome concentrates.	200,000	7,359	77,399	
Columbium-tantalum[1]	Dec. 31, 1958	Pounds contained combined pentoxide.	15,000,000	1,292,227	7,354,279	
					Contained	Recoverable
Manganese:[2]						
Butte-Phillipsburg	June 30, 1958	Long dry ton units, manganese.	6,000,000	308,418	1,418,058	Not available.
Deming	do	do	6,000,000	499,340	2,213,221	1,770,577
Wenden	do	do	6,000,000	911,063	5,820,542	4,598,228
Domestic small producers.	do	do	19,000,000	595,629	2,275,617	
Mica	June 30, 1957	Short tons, hand-cobbed mica or equivalent.	25,000	659		4,816
Tungsten	July 1, 1958	Short ton units, tungsten trioxide.	3,000,000	235,684		1,460,051

[1] Columbium-Tantalum Regulation provides for both Domestic and Foreign purchases. Report includes both. Includes 735,908 pounds purchased by London Regional Office which was not reflected in report as of Sept. 30, 1954. Foreign purchases will terminate close of business Dec. 31, 1956.

[2] Purchases during quarter reflect units of Manganese contained in the crude ore. Complete data for reporting of recoverable units is not available. In future Manganese will be reported in recoverable units.

EDMUND F MANSURE,
Administrator

FEBRUARY 9, 1955.

[F R. Doc. 55-1319; Filed, Feb. 11, 1955; 2:14 p. m.]

FEDERAL POWER COMMISSION

[Docket No. G-2018]

EL PASO NATURAL GAS CO.

ORDER MODIFYING ORDER GRANTING APPLICATION FOR REHEARING AND STAY

El Paso Natural Gas Company (El Paso) on December 13, 1954, filed an application for rehearing upon and stay of the order issued herein on November 26, 1954, accompanying Opinion No. 278. By order issued December 22, 1954, the Commission granted rehearing upon said order upon the present record in this proceeding, and stayed the order pending further order.

On January 6, 1955, El Paso filed an application for modification of the aforementioned order issued December 22, 1954, to allow a rehearing upon both the present record "and such additional record as is necessary to clarify and support the points presented in El Paso's Application for Rehearing and Stay"

The Commission orders:

(A) The record in this proceeding be and it is hereby reopened for further hearing to be held upon a date to be hereafter fixed by notice of the Secretary concerning the issues raised and the matters presented by the aforesaid application for rehearing and stay and the application for modification of the order issued December 22, 1954, as well as all proper and related issues affecting the amount of refunds under such applications.

(B) Except as herein specifically modified, the aforesaid order issued Decem-

ber 22, 1954, be and it is hereby continued in full force and effect.

Adopted: January 26, 1955.

Issued: February 8, 1955.

By the Commission.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F R. Doc. 55-1288; Filed, Feb. 14, 1955; 8:47 a. m.]

[Docket Nos. G-3609, G-3700]

M. B. ARMER AND ARMER DRILLING CO.

NOTICE OF APPLICATIONS AND DATE OF HEARING

FEBRUARY 9, 1955.

In the matters of M. B. Armer, Docket No. G-3609; Armer Drilling Company, Docket No. G-3700.

Take notice that M. B. Armer, an individual, and Armer Drilling Company, a partnership (Applicants) whose address is Wichita, Kansas, filed on September 29, 1954 applications for certificates of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing Applicants to render service as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the applications which are on file with the Commission and open for public inspection.

Applicant at Docket No. G-3609 produces natural gas from the Aetna Field, Barber County Kansas, which is sold in interstate commerce to Zenith Gas System, Inc., Alva, Oklahoma (contract dated January 7, 1954, sale price 10 cents per Mcf; 200,000 Mcf annual delivery) for resale.

Applicant at Docket No. G-3700 produces natural gas from a portion of the Kansas-Hugoton Gas Field, Seward County, Kansas, which is sold in interstate commerce to Panhandle Eastern Pipe Line Company (contract dated December 18, 1953; sale price 13 cents per Mcf) for resale.

These related matters should be heard on a consolidated record and disposed of as promptly as possible under the applicable rules and regulations and to that end.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on March 2, 1955, at 9:50 a. m., e. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such applications: *Provided, however* That the Commission may after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before February 21, 1955. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission of the intermediate decision procedure in cases where a request therefor is made.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F R. Doc. 55-1286; Filed, Feb. 14, 1955; 8:47 a. m.]

[Docket Nos. G-4280—G-4283]

NATURAL GAS PIPELINE CO. OF AMERICA ET AL.

NOTICE OF APPLICATIONS, CONSOLIDATION AND DATE OF HEARING

FEBRUARY 8, 1955.

In the matters of Natural Gas Pipeline Company of America, Docket No. G-4280; Mid-Continent Petroleum Corporation, Docket No. G-4281, Warren Petroleum Corporation, Docket No. G-4282; Oil Drilling, Inc., et al., Docket No. G-4283.

Take notice that Mid-Continent Petroleum Corporation (Mid-Continent) and Warren Petroleum Company (Warren) Delaware corporations whose address is Tulsa, Oklahoma, filed on October 26, 1954, their applications in Docket Nos. G-4181 and G-4182, respectively, for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing them to sell natural gas to Natural Gas Pipeline Company of America (Natural) Applicant in Docket No. G-4280, as hereinafter described, subject to the jurisdiction of the Commission. Warren amended its application on December 20, 1954, and January 17, 1955.

Take notice that Oil Drilling, Inc., et al. (Oil Drilling) a Texas corporation whose address is Houston, Texas, and a number of individuals filed on October 27, 1954, a similar application in Docket No. G-4283, which was amended on December 20, 1954. All the applications in these proceedings as supplemented or amended are on file with the Commission and open for public inspection.

Notice of Natural's application in Docket No. G-4280 was published on February 1, 1955, in the FEDERAL REGISTER (20 F R. 695)

Mid-Continent, Warren, and Oil Drilling produce natural gas in newly-discovered producing areas in Jack and Wise Counties, Texas. They propose to sell in interstate commerce to Natural and deliver at the wellhead an initial average daily volume of 78,000 Mcf of natural gas.

The foregoing applications for certificates are related matters and should be heard on a consolidated record.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on March 8, 1955, at 10:00 a. m., e. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such application.

Protests or petitions to intervene in this proceeding may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 1st day of March 1955.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F R. Doc. 55-1287; Filed, Feb. 14, 1955; 8:47 a. m.]

[Docket No. R-138]

HUMBLE OIL & REFINING CO.

ORDER DENYING APPLICATION FOR REHEARING

In the matter of compliance by natural-gas producers and gatherers with certificate and rate requirements, Docket No. R-138.

Humble Oil & Refining Company, on January 14, 1955, filed what it styled "Application of Humble Oil & Refining Company for Rehearing on Order 174-B." Humble recites the history of Commission regulation of independent producers under the Natural Gas Act. Particular reference is made to Phillips Petroleum Company v State of Wisconsin, 347 U. S. 672, Order No. 174, Order No. 174-A and amendment of Order No. 174-A, as reflected in Order No. 174-B.

The instant "Application for Rehearing of Order 174-B" contains a restatement of the averments to be found in the application of Humble Oil & Refining Company for rehearing of Order No. 174-A heretofore filed and considered by us in conjunction with more than 100 similar applications. The "Application" does not refer to any specific amendment or change of any section of Order No. 174-A. The relief sought by the instant "Application" is identical with that heretofore requested.

The pleading now filed by Humble Oil & Refining Company, not raising any issue relative to changes in Order No. 174-A effected by us in our order issued December 17, 1954 and being merely a second request for reconsideration of our procedural Order No. 174-A, we will deny the reconsideration requested.

Wherefore: *It is ordered*. Reconsideration of Order 174-A, as amended and restated in Order No. 174-B is refused.

Adopted. February 2, 1955.

Issued: February 9, 1955.

By the Commission.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F R. Doc. 55-1289; Filed, Feb. 14, 1955; 8:48 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 30235]

HAY FROM NEW YORK TO TRUNK-LINE, NEW ENGLAND AND SOUTHERN TERRITORIES

APPLICATION FOR RELIEF

FEBRUARY 10, 1955.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by C. W Boin, Agent, for carriers parties to schedules listed below.

Commodities involved. Hay carloads.

From: Points in the State of New York.

To: Destinations in trunk-line, New England and southern territories.

Grounds for relief: Rail competition, circuity to maintain grouping, operation through higher-rated territory to apply rates constructed on the short line distance formula, and to maintain rates prescribed in docket 30976, National Hay Assn., v. Aberdeen & R. R. Co., 291 I. C. C. 447.

Schedules filed containing proposed rates: C. W Boin, Agent, I. C. C. No. 1008, supp. 12; H. R. Hinsch, Agent, I. C. C. No. 4607, supp. 13.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W LAIRD, *Secretary.*

[F R. Doc. 55-1276; Filed, Feb. 14, 1955; 8:45 a. m.]

[4th Sec. Application 30236]

SCRAP IRON FROM SOUTH BEND, IND., AND BATTLE CREEK, MICH., TO BENTON HARBOR AND ST. JOSEPH, MICH.

APPLICATION FOR RELIEF

FEBRUARY 10, 1955.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by H. R. Hinsch, Agent, for the Chesapeake and Ohio Railway Company, Grand Trunk Western Railroad Company and New York Central Railroad Company.

Commodities involved. Scrap iron and steel, carloads.

From. South Bend, Ind., and Battle Creek, Mich.

To: Benton Harbor and St. Joseph, Mich.

Grounds for relief: Rail competition, circuity and to maintain rates prescribed in docket 31035, decided November 19, 1954.

Schedules filed containing proposed rates: Grand Trunk Western Railroad Company I. C. C. No. A-79, supp. 7.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W LAIRD, *Secretary.*

[F R. Doc. 55-1277; Filed, Feb. 14, 1955; 8:45 a. m.]

[4th Sec. Application 30237]

MANUFACTURED TOBACCO FROM GREENSBORO, N. C., TO SOUTHERN TERRITORY

APPLICATION FOR RELIEF

FEBRUARY 10, 1955.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by R. E. Boyle, Jr., Agent, for carriers parties to schedule listed below.

Commodities involved. Manufactured tobacco, carloads.

From: Greensboro, N. C.

To: Specified points in southern territory

Grounds for relief: Competition with rail carriers, and circuitous routes.

Schedules filed containing proposed rates: C. A. Spaninger, Agent, I. C. C. No. 1251, supp. 110.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W LAIRD, *Secretary.*

[F R. Doc. 55-1278; Filed, Feb. 14, 1955; 8:45 a. m.]

[4th Sec. Application 30238]

WOODPULP FROM NATCHEZ, MISS., TO BEAVER FALLS, PA.

APPLICATION FOR RELIEF

FEBRUARY 10, 1955.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by R. E. Boyle, Jr., Agent, for carriers parties to schedule listed below.

Commodities involved: Woodpulp, carloads.

From. Natchez, Miss.

To: Beaver Falls, Pa.

Grounds for relief: Rail competition, circuity rates constructed on the basis of the short line distance formula, and additional destination.

Schedules filed containing proposed rates: C. A. Spaninger, Agent, I. C. C. No. 1260, Supp. 82.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W LAIRD, *Secretary.*

[F R. Doc. 55-1279; Filed, Feb. 14, 1955; 8:46 a. m.]

[4th Sec. Application 30239]

WOODPULP FROM SOUTHERN TERRITORY TO WASHINGTON COURT HOUSE, OHIO

APPLICATION FOR RELIEF

FEBRUARY 10, 1955.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by R. E. Boyle, Jr., Agent, for carriers parties to schedule listed below.

Commodities involved: Woodpulp, carloads.

From: Producing points in southern territory.

To: Washington Court House, Ohio.

Grounds for relief: Rail competition, circuity rates constructed on the basis of the short line distance formula, and additional destination.

Schedules filed containing proposed rates: C. A. Spaninger, Agent, I. C. C. 1260, supp. 82.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W LAIRD,
Secretary.

[F R. Doc. 55-1280; Filed, Feb. 14, 1955; 8:46 a. m.]